



WASHOE COUNTY

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DA

Risk Mgt.

HR

Other

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STAFF REPORT

BOARD MEETING DATE: October 28, 2014

DATE: September 26, 2014

TO: Board of County Commissioners

FROM: Sandra Monsalve, AICP, Senior Planner
Planning and Development Division, Community Services Department
328-3608, smonsalve@washoecounty.us

THROUGH: William H. Whitney, Division Director, Planning and Development
Community Services Department, 328-3617, bwhitney@washoecounty.us

SUBJECT: Public Hearing: Appeal Case Number AX14-004 (Crossbow Court Neighborhood Center) – To consider an appeal of the Washoe County Board of Adjustment's decision to deny Special Use Permit Case Number SB14-013 (Crossbow Court Neighborhood Center), requesting to construct a ±12,000 square foot Neighborhood Commercial Center comprised of two separate ±6,000 square foot buildings on two contiguous parcels, to be located at the northeast corner of Crossbow Court and Arrowcreek Parkway. Possible action to confirm the denial, or reverse the denial and directly grant the requested special use permit with or without modifications. (Commission District 2.)

SUMMARY

The appellant is requesting a reversal of the Board of Adjustment's decision to deny Special Use Permit SB14-013 to construct a ±12,000 square foot Neighborhood Commercial Center comprised of two separate ±6,000 square foot buildings on two contiguous parcels totaling ±1.81 acres in the Southwest Truckee Meadows planning area. The Board unanimously denied the special use permit because it was unable to make a required finding.

Since then, the Developer met with the Homeowners Association and offers a new condition to limit the use of one of the buildings.

The Washoe County Commission may take action to confirm the denial, or reverse the denial and may directly grant the special use permit with or without modifications.

Washoe County Strategic Objective supported by this item: Economic development and diversification.

PREVIOUS ACTION

Board of County Commissioners. No previous action has been taken by the Board of County Commissioners. This item is presented to the Board for consideration pursuant to Development Code Section 110.810.50, *Appeals*.

Board of Adjustment. The Washoe County Board of Adjustment voted to deny, Special Use Permit Case Number SB14-013 on August 7, 2014, after a duly-noticed public hearing. All four members of the Board of Adjustment were present (one vacant seat) at the meeting; the motion to deny the special use permit carried unanimously.

BACKGROUND

The Project: The subject properties combined total ± 1.81 acres, and are located at 2500 & 2540 Crossbow Court at the northeast corner of Arrowcreek Parkway and Crossbow Court, approximately 3 to 3 ½ miles to the southeast at Wedge Parkway or northeast to South Virginia Street directly across the street (Crossbow Court) from Hunsberger Elementary School, approximately 450-foot minimum from Hunsberger School building(s), approximately 350-foot from the nearest residence which is to the south, and south of Sage Ridge School, a private school. The proposed project would be comprised of the following (See description and pictures in Exhibits B and C to the Board of Adjustment Staff Report which is Attachment C to this Staff Report.):

- Two 6,000 square foot buildings;
- Anticipated 4-5 tenants per building;
- Provide neighborhood retail services;
- Neighborhood friendly hours of operation.

This project is an allowed *Commercial Use Type* in the Low Density Suburban (LDS) zoning designation with an approved Special Use Permit, per Table 110.302.05.3 of the Washoe County Development Code. Potential project impacts have been appropriately conditioned by all reviewing agencies, which can be found in the *Conditions of Approval*, Attachment A to this staff report.

At the Board of Adjustment meeting on August 7:

- The Board received a petition signed by approximately 128 persons urging denial of the special use permit because the proposed neighborhood commercial center “is inconsistent with the current character of the neighborhood and would pose safety dangers due to the close proximity to the schools and neighborhood park” and “will be significantly detrimental to the public health, safety and welfare to the adjacent properties or improvements to the adjacent properties and detrimental to the character of the surrounding neighborhood.” (See Exhibit H to the Board of Adjustment Staff Report—Attachment C to this Report.)

- Seven people testified about the project, raising concerns about the following:
 - Traffic concerns,
 - Compatibility within the neighborhood and the schools,
 - Child safety,
 - Hours of operation,
 - Noise,
 - Lighting,
 - Types of businesses,
 - View impediments, and
 - Business sustainability.
- Other comments, however, included:
 - Anticipation of small retail services available close by,
 - Could be a positive addition to the immediate community, and
 - Reduced vehicular trips to larger big-box retail.
- During deliberations, members of the Board of Adjustment commented that they could not make finding number 4 regarding *no detrimental impact*. The Board members were in agreement that the type of use, a Neighborhood Commercial Center, was not a compatible use within an established neighborhood environment. There was extensive discussion in regard to the traffic impacts, especially as it related to Hunsberger School across the street and Sage Ridge School to the north, in addition to child safety. There was further discussion that the proposed use would be detrimental to the character of the surrounding area. See the draft minutes of the meeting in Attachment E to this Staff Report.

Decision rendered by Board of Adjustment

After hearing testimony from the applicant, the public, and presentation by staff, the Board of Adjustment voted to deny the special use permit request. On a motion by Member Wideman, seconded by Member Hill, the Board of Adjustment voted unanimously, to deny the request for a special use permit to construct a neighborhood commercial center based on the inability to make the required Finding #4 which says:

Issuance Not Detrimental. Issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area [required by Washoe County Code Section 110.810.30 (d)]

An Action Order was provided to the applicant (Attachment D to this Staff Report).

Subsequent events:

The applicant has recently attended the Arrowcreek Homeowners Association meeting, of which there appeared to be a favorable outcome for the project. See Attachment G to this Staff Report.

New condition being offered:

To further mitigate the impact, the applicant now offers to impose a condition to the northern 6,000 sq. ft. building limiting it to non-retail uses. The condition would read as follows: The CC&Rs shall provide to the satisfaction of the Director of Planning and Development, the northerly most building be restricted into perpetuity to non-retail uses such as, a child daycare, office space, or veterinary services, or any other non-retail use approved by Washoe County. See Attachment B (Appeal of Decision Application) of this Staff Report, page 2. Staff has added this new condition as Condition 1 (g) (10) to the conditions of approval (Attachment A, page 4) if the Board decides to reverse the denial and directly grant the special use permit subject to with Attachment A Conditions of Approval.

Appeal

The applicant has submitted a written appeal (Attachment B) asking the Board of County Commissioners to reverse the Board of Adjustment's denial for the following reasons:

1. Project denied based on the following:

- a. The applicant feels the project was denied due to the Board members not taking into account the mitigation measures created for traffic impacts, as stated within the *Conditions of Approval*, specifically by Washoe County staff.
- b. That the Board members did not take into account that the applicant has worked with Washoe County staff, (Traffic Engineer, Hunsberger School Principal, Planning & Development) in accommodating requests to create "right-in" only driveway for the southerly building; painting the curb red indicating a "no parking" zone along Crossbow Court; stripe Crossbow Court from Arrowcreek Parkway to the north boundary of the project,
- c. That the Board members did not take into account that the applicant has agreed to reduced hours of operation,
- d. That the Board members did not take into account the *Conditions of Approval*, which address mitigation measures for all potential impacts of the project; and lastly, as part of this appeal application,
- e. The applicant has agreed to restrict the uses for the northerly building to non-retail uses, such as child day care, offices, and veterinary office, thereby reducing the concerns of the residents that there would be just "retail" uses within the commercial center.

Washoe County Development Code for County Commissioner's consideration:

Section 110.810.50 Appeals. An action of the Planning Commission, Board of Adjustment or a hearing examiner made pursuant to this article may be appealed in accordance with the provisions of this section.

- (g) Action by the Board of County Commissioners. The Board of County Commissioners shall consider only those items cited in the appeal. In its deliberation, it may use the record and any additional evidence relative to the application and may confirm, reverse or modify the appealed actions based upon its interpretation of the findings required and the evidence submitted. The action of the Board of County Commissioners shall be by an affirmative vote of a majority of the entire membership of the Board. A final decision by the Board of County Commissioners shall be rendered within sixty (60) days of the appeal hearing. In the case of a tie vote due to the absence of a member, the appeal shall be continued to a future meeting unless requested otherwise by the appellant. Said future meeting may be beyond the sixty (60) days required for a final decision. The final decision of the Board of County Commissioners shall be final for purposes of judicial review.

FISCAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDATION

It is recommended that the Board review the record and any additional evidence relative to the appeal application and based on its interpretation of the findings required and the evidence submitted either:

- **CONFIRM** the denial of the special use permit by the Board of Adjustment; or,
- **REVERSE** the denial of the special use permit by the Board of Adjustment and **GRANT** the Special Use Permit subject to the conditions set forth in Attachment A and adding the new condition limiting the use of one of the buildings as discussed above.

POSSIBLE MOTIONS

Staff is offering two possible motions for the Board to consider, based on staff's recommendations:

MOTION TO CONFIRM THE DENIAL OF THE SPECIAL USE PERMIT

Based on this Board's interpretation of the findings required and a review of the record on appeal and additional evidence submitted and taken at today's public hearing, I move to **CONFIRM** the findings made by the Washoe County Board of Adjustment and its decision to deny Special Use Permit Case Number SB14-013 (Crossbow Ct. Neighborhood Center) requesting to construct a $\pm 12,000$ square foot Neighborhood Commercial Center comprised of two separate $\pm 6,000$ square foot buildings on two contiguous parcels, to be located at the northeast corner of Crossbow Court and Arrowcreek Parkway.

MOTION TO REVERSE THE DENIAL OF AND DIRECTLY GRANT THE SPECIAL USE PERMIT

Based on this Board's interpretation of the findings required and a review of the record on appeal and additional evidence submitted and taken at today's public hearing, I move to determine that all required findings for the special use permit can be made and therefore to **REVERSE** the Washoe County Board of Adjustment's decision to deny Special Use Permit Case Number SB14-013 (Crossbow Ct. Neighborhood Center) and to directly **GRANT** the Special Use Permit to construct a $\pm 12,000$ square foot Neighborhood Commercial Center comprised of two separate $\pm 6,000$ square foot buildings on two contiguous parcels, to be located at the northeast corner of Crossbow Court and Arrowcreek Parkway, subject to:

- The conditions attached hereto as Attachment A.

Attachments:

- A. Proposed Conditions of Approval (Special Use Permit)
- B. Appeal Application (AX14-004)
- C. Board of Adjustment Staff Report for SB14-013
- D. Board of Adjustment Action Order, dated September 19, 2014
- E. Excerpt from the August 7, 2014 Board of Adjustment Minutes
- F. Letter from Arrowcreek Homeowners Association

cc:

- Helvetica CTV Crossbow, LLC, Attn: Chad Mestler or Dave Gash, 5927 Balfour Court, Suite 208, Carlsbad, CA 92008-7377
- Professional Consultant: Kenneth Krater, P.E., 901 Dartmouth Drive, Reno, NV 89509
- County Clerk

EXHIBIT A



Conditions of Approval

Special Use Permit Case Number SB14-013

The project approved under Special Use Permit Case Number SB14-013 shall be carried out in accordance with the Conditions of Approval as modified by the Board of County Commissioners on October 28, 2014. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes.

Unless otherwise specified, all conditions related to the approval of this Special Use Permit shall be met or financial assurance must be provided to satisfy the Conditions of Approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Development Division of the Washoe County Community Services Department.

Compliance with the Conditions of Approval related to this Special Use Permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Special Use Permit may result in the initiation of revocation procedures.

Washoe County reserves the right to review and revise the Conditions of Approval related to this Special Use Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "Conditions of Approval" are referred to as "Operational Conditions." These conditions must be continually complied with for the life of the project or business.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies.

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.**

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Development Division

1. The following conditions are requirements of the Planning and Development Division of the Washoe County Community Services Department, which shall be responsible for determining compliance with these conditions.

Contact Name: Sandra Monsalve, AICP, 775.328.3608

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Development Division shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two (2) years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Development Division.
- c. The applicant shall attach a copy of the Action Order approving this project to all administrative permit applications (including building permits) applied for as part of this special use permit.
- d. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

- e. The applicant shall meet with Planning and Development Division staff and the Washoe County School District (WCSD) staff prior to the finalization of all traffic improvements proposed for the project site.

- f. The applicant shall review a construction time-table with Planning and Development Division staff and the Washoe County School District (WCSD) staff prior to commencing site development. The operations of concrete-mixer truck deliveries and dirt/debris removal shall not occur during peak school drop-off or pick-up hours. There shall be no stacking of construction trucks/concrete-mixer trucks (i.e. more than one (1) truck at a time) along Crossbow Court or Arrowcreek Parkway during construction.
- g. The following **Operational Conditions** shall be required for the life of the project:
 - 1. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
 - 2. Failure to comply with the Conditions of Approval shall render this approval null and void. Compliance with this condition shall be determined by the Planning and Development Division.
 - 3. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Planning and Development Division staff to review Conditions of Approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Planning and Development Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
 - 4. Hours of operation for all food/beverage type businesses on-site shall be from 7:00 a.m. to 10:00 p.m. Monday through Sunday, and retail business hours from 8:00 a.m. through 9:00 p.m. Monday through Sunday.
 - 5. The applicant/property owner(s) shall provide the master Sign Criteria document to all tenants of the neighborhood shopping center. All signs must comply with the master Sign Criteria document and the Washoe County Development Code for Signage. The master Sign Criteria document shall be provided to, and filed with, the Planning and Development Division of the Community Services Department.
 - 6. The applicant/property owner(s) of the neighborhood shopping center shall create and record Conditions, Covenants, and Restrictions (CC&Rs). The CC&Rs shall be submitted to the Planning and Development staff for review and subsequent forwarding to the District Attorney for review and approval. The final CC&Rs shall be signed and notarized by the owner(s) and submitted to the Planning and Development Division with the recordation fee prior to the issuance of project building and grading permits.
 - 7. All tenants and/or property owner(s) of the neighborhood shopping center shall obtain all required licensure from Washoe County Business License prior to opening for any and all business operations.
 - 8. All tenants and/or property owner(s) of the neighborhood shopping center shall obtain all required permits from the Washoe County Building and

Safety Division prior to completing any and all structural/tenant building improvements.

9. The property owner(s)/applicant shall be required to, and with the approval of the Washoe County Traffic Engineer:
 - a. Paint the curb red along the entire business/project frontage along Crossbow Court, and post "No Parking" sign(s).
 - b. Create a right-turn in only driveway (across from Hunsberger Elementary School driveway) on the south side of the project site on Crossbow Court. All internal traffic flow shall exit at the northernmost driveway of Crossbow Court. Directional signage shall be posted within the shopping center parking lot areas.
 - c. Re-stripe the centerline of Crossbow Court for lane clarity and delineation.
 10. The CC&Rs shall provide to the satisfaction of the Director of Planning and Development, the northerly most building be restricted into perpetuity to non-retail uses such as, a child daycare, office space, or veterinary services, or any other non-retail use approved by Washoe County.
- h. The following **Landscaping and Design** conditions shall be fulfilled:
1. Prior to any ground disturbing activity, the applicant shall submit a landscaping/architectural design plan to the Planning and Development Division for review and approval by the Design Review Committee. Said plan(s) shall address, but not be limited to: type and color of building materials, general architectural design, parking, parking lot circulation and striping, signage, exterior lighting, fencing, trash enclosures, landscaping (if plant material: type, size at time of planning, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained accordingly.
 2. A certification letter or series of letters by a landscape architect registered in the State of Nevada shall be submitted to the Planning and Development Division. The letter(s) shall certify that all applicable landscaping provisions of Articles 410 and 412 of the Development Code have been met. All landscaping plans and the letters shall be wet-stamped.
 3. A solid masonry wall or other material with sound attenuating properties with a maximum height of 8-feet shall be installed along the eastern property line of the subject properties which make up the project site that abuts existing residentially zoned property. The wall shall be designed in a fashion that harmoniously blends with the surrounding neighborhood.
- i. The following **Design Review** conditions shall be fulfilled:

1. The applicant will be required to submit a landscaping/architectural plan which shall be reviewed and approved by the Washoe County Design Review Committee prior to any ground-disturbing activity. Said plan(s) shall address:
 - a. Type and color of building materials, including a color palette
 - b. Articulation of all building sides
 - c. Outdoor furniture (if any), landscaping and specialized paving materials (if any)
 - d. All project signage and the master Sign Criteria, including any monument signage
 - e. The proposed lighting fixtures and poles, including intensity of illumination and containment of spillage upon the property
 - f. Landscaping and plant material, including type, size at time of planting, maturation size at full growth, period of time between planting and full growth
 - g. Revegetation plan
 - h. Drainage and detention/catch basin pond(s)
 - i. Landscaping irrigation system
 - j. Fencing/wall material(s)
 - k. Trash enclosure materials and landscaping for screening purposes

Washoe County Building and Safety Division

2. The following condition is a requirement of the Washoe County Building & Safety Division, which shall be responsible for determining compliance with this condition.

Contact Name: Don Jeppson, 775.328.2020

- a. The applicant(s) shall be required to obtain all necessary grading and building permits, prior to the construction of the neighborhood shopping center.

Washoe County Engineering and Capital Projects Division - Land Development

3. The following conditions are requirements of the Land Development, Engineering and Capital Projects Division, which shall be responsible for determining compliance with these conditions.

Contact Name: Leo Vesely, 775.328.2040

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with Best Management Practices (BMPs) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. The applicant shall obtain from the Nevada Division of Environmental Protection, a Stormwater Discharge Permit for construction and submit a copy to the Engineering and Capital Projects Division prior to issuance of a grading permit.
- c. The applicant shall complete and submit the Construction Permit Submittal Checklist, the Performance Standards Compliance Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
- d. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering and Capital Projects Division prior to the issuance of a grading permit.
- e. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the County Engineer with technical assistance from the Washoe-Storey Conservation District.
- f. A hydrology/hydraulic report prepared by a registered engineer shall be submitted to the Engineering and Capital Project Division for review and approval. The report shall include the locations, points of entry and discharge, flow rates and flood limits of all 5- and 100-year storm flows impacting both the site and offsite areas and the methods for handling those flows. The report shall include all storm drain pipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties.
- g. Any increase in storm water runoff resulting from the development shall be detained on-site to the satisfaction of the County Engineer.
- h. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures and rip rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the County Engineer.
- i. The applicant shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the County Engineer.
- j. The minimum pavement requirements for on-site paving shall be three inches (3") of asphalt over six inches (6") of granular base to the satisfaction of the County Engineer.
- k. The applicant shall obtain a street excavation permit for the driveway approaches.

- l. All improvements in the County right-of-way shall be constructed in accordance with County standards.
- m. The southern driveway shall line up with the existing driveway or meet standard separation requirements.
- n. The proposed sign at the corner of Crossbow Court and Arrowcreek Parkway shall not block sight distance on either Crossbow Court or Arrowcreek Parkway.
- o. Existing sidewalk shall be perpetuated along the entire property frontage.

Washoe County Engineering and Capital Projects Division - Water Resources

4. The following conditions are requirements of Engineering and Capital Projects Division, Water Resources which shall be responsible for determining compliance with these conditions.

Contact Name: John Cella, 775.954.4600

- a. Water rights dedications requirements shall be in accordance with Article 422 of Washoe County Code Chapter 110 (Development Code), all applicable ordinances, and the Southwest Truckee Meadows Area Plan. Ground water rights in quantities approved by Washoe County Community Services Division (CSD) shall be dedicated to Washoe County prior to release of the building permit(s); and must be in good standing with the State Division of Water Resources and shall reflect the point of diversion, place of use, and manner of use satisfactory to the CSD Water Resources.
- b. Construction plans for the public water and sewer improvements shall be approved prior to release of the building permit. They shall be in compliance with CSDWR Design Standards, NAC 625 and NAC 445-A.
- c. All fees shall be paid in accordance with Washoe County Ordinance prior to the release of the building permit.
- d. Approved plans shall be used for the construction of the public water improvements. CSDWR will be responsible to inspect the public water and sewer improvements.
- e. The developers' Engineer shall submit a plan or letter from the appropriate fire agency identifying the approved fire hydrant locations and indicating the fire flow and duration required for the project.
- f. No Certificates of Occupancy will be issued until "as-builts" have been approved.
- g. The domestic water meters and their associated backflow devices and the fire service backflow devices, shall be located at the site entrance.
- h. Existing easements and utility main(s) located on parcels are to be incorporated into all development plans.

Washoe County Health District – Mosquito/Vector Control

5. The following conditions are requirements of the Health District, which shall be responsible for determining compliance with these conditions.

Contact Name: J.L. Shaffer, 775.785.4599

- a. Any new private catch basins will require a water quality insert placed within all basins to improve water quality downstream and prevent mosquitoes from colonizing this infrastructure (040.013).
- b. The detention basin will require our standard design of a cobble rock lined low flow channel, one foot deep and 2-3 feet wide connecting the inlet(s) to the outlet pipe. In addition, we will required over excavating below the low flow channel with a lined infiltration trench 2 feet wide and 3 feet deep the length of the basin to reduce the downstream effects of storm water runoff (040.023). The following maintenance language shall be noted on the civil plans; "all vegetation, debris and blockages shall require removal in the low flow channel including one foot on either side of the channel on an annual basis. The maintenance will mitigate insect development by preventing standing water from ponding longer than 7 days (040.038).
- c. With storm water being discharged into the existing drainage channel, District Health will require 4-6 inch cobble rock in the flow line of the channel at a minimum of forth (40) feet (040.021).
- d. In order to minimize the concern for storm and nuisance water runoff, landscape containing turf will require an 18 inch water catchment area adjacent to impervious surfaces reducing nuisance water runoff into the infrastructure while minimizing downstream runoff (040.038).
- e. A wind sensor control unit will be required for the proposed landscape containing turf to assist in reducing the nuisance water runoff associated with irrigation (040.038).
- f. Prior to the sign off of the building plans the above detail designs are required on the plans and a scheduled compliance inspection is required for the above conditions.

*** End of Conditions ***

CROSSBOW COURT NEIGHBORHOOD CENTER

APPEAL OF DECISION APPLICATION

CROSSBOW COURT AND ARROWCREEK PARKWAY

A NEIGHBORHOOD COMMERCIAL CENTER

Low-E Insulated Glazing

EIFS/Stucco System

Metal Roof Awning

CMU Patio Wall



SUBMITTED AUGUST 15, 2014

KKrater Consulting

A Professional Corporation

KKrater Consulting
901 Dartmouth Drive
Reno, Nevada 89509

Tel: (775) 815-9561
Fax: (775) 786-2702
E-mail: kkrater@nvbell.net

August 15, 2014

Sandra Monsalvè, AICP, Senior Planner
Washoe County Community Services Department
1001 E. Ninth St.
Reno, NV 89512

Subject: Appeal of the Decision of the Board of Adjustment - Crossbow Court Neighborhood Center

Dear Sandra:

We hereby appeal the decision of the Board of Adjustment to deny the Special Use Permit application for the Crossbow Court Neighborhood Center. The subject property is located on the northeast corner of Arrowcreek Parkway and Crossbow Court. The Special Use Permit will allow for development of a 12,000 sq. ft. neighborhood commercial center located in a Low Density Suburban (LDS) district.

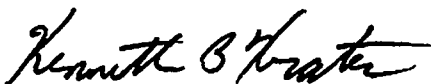
The Board of Adjustment clearly erred in ignoring the expert testimony on the project and as written in the staff report. Staff experts including the county traffic engineer clearly noted that potential traffic impacts were mitigated with conditions of approval and the applicants agreement to make the south driveway a right in only driveway, stripe Crossbow Court from Arrowcreek Parkway to the north boundary of the project, and install no parking signs and paint the curb red adjacent to the site.

The Board of Adjustment could not make the finding that issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area. However, based on expert testimony and information included in the staff report, this finding can be made.

Furthermore, to appease the neighbors that spoke at the hearing and address one of their major concerns, the applicant has agreed to restrict the uses on the northerly 6,000 sq. ft. building to non retail uses. We hereby agree that only the following uses will be allowed in the northernmost building: day care, offices, and veterinary offices. Several neighbors felt that the developer would not be able to successfully lease two 6,000 sq. ft. buildings with retail/commercial uses and that the center would become blighted. Thus, by agreeing to non-retail uses in the north building, and the fact the construction of this building will not commence until a significant portion of the north building is pre-leased, neighborhood concerns are alleviated.

Finally, this will be a first class neighborhood center with great architecture and landscaping and recorded CC&R's to govern maintenance, lighting, signage, and operations to further ensure the success of the center. Please do not hesitate to contact me with any questions.

Sincerely,



Kenneth Krater, P.E.

Washoe County

Appeal of Decision Application

Appeal of Decision by (Check one)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Hearing Examiner |
| <input type="checkbox"/> Design Review Committee | <input type="checkbox"/> Parcel Map Review Committee |
| <input type="checkbox"/> Director of Building & Safety (NRS 278.310) | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Director of Planning and Development | <input type="checkbox"/> Code Enforcement Officer |

Appellant Information

Name: Kenneth Krater, P.E.	Phone: 775-815-9561
Address: 901 Dartmouth Drive	Fax: 775-786-2702
	Email: kkrater@nvcbell.net
City: Reno State: NV Zip: 89509	Cell: 775-815-9561

Original Application Number: SB14-013
Project Name: Crossbow Court Neighborhood Center
Project Location: Northeast Corner, Crossbow Court and Arrowcreek Parkway
2500 and 2540 Crossbow Court, Reno
Date of decision for which appeal is being filed: August 7, 2014 - Board of Adjustment

State the specific action you are appealing:

Denial of a Special Use Permit to construct a ±12,000 square foot Neighborhood Commercial Center comprised of two separate ±6,000 square foot buildings on two contiguous parcels, to be located at the northeast corner of Crossbow Court and Arrowcreek Parkway.

State the reasons why the decision should or should not have been made:

1. The board of adjustment ignored the fact that expert testimony clearly indicated that traffic impacts and potential impacts to the adjoining school and students were adequately addressed and this low impact project will not be detrimental to the health, safety, or welfare, injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area

For Staff Use Only

Appeal Number:	Date Stamp
Notes:	Staff: _____

Appellant Information (continued)	
Cite the specific outcome you are requesting under the appeal: Approval of the special Use Permit to To construct a ±12,000 square foot Neighborhood Commercial Center comprised of two separate ±6,000 square foot buildings on two contiguous parcels. We further agree that the northerly building will be dedicated to non retail uses and only childcare, offices, and veterinary offices will be allowed in the north building. (See attached exhibits.)	
State how you are an affected individual entitled to file this appeal: I attended the public hearing and presented the project to the Board of Adjustment on behalf of the applicant.	
Did you speak at the public hearing when this item was considered?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Did you submit written comments prior to the action on the item being appealed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

For time limitations imposed for the various types of appeals, please refer to the Washoe County Development Code (WCC Chapter 110) and Nevada Revised Statutes Chapter 278 (NRS 278).

APPELLANT AFFIDAVIT

STATE OF NEVADA)
COUNTY OF WASHOE)

I, Kenneth Krater

being duly sworn, depose and say that I am an appellant seeking the relief specified in this petition and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by staff of the Planning and Development.

Signed Kate Krater

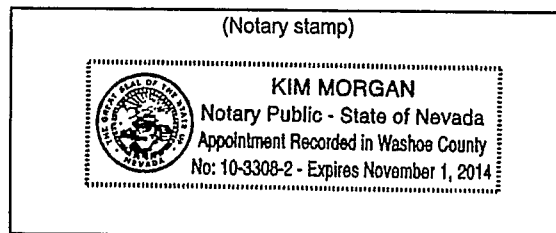
Address 901 Dartmouth Dr.

Reno, NV 89509

Subscribed and sworn to before me this
15th day of August, 2014.

Kim Morgan
Notary Public in and for said county and state

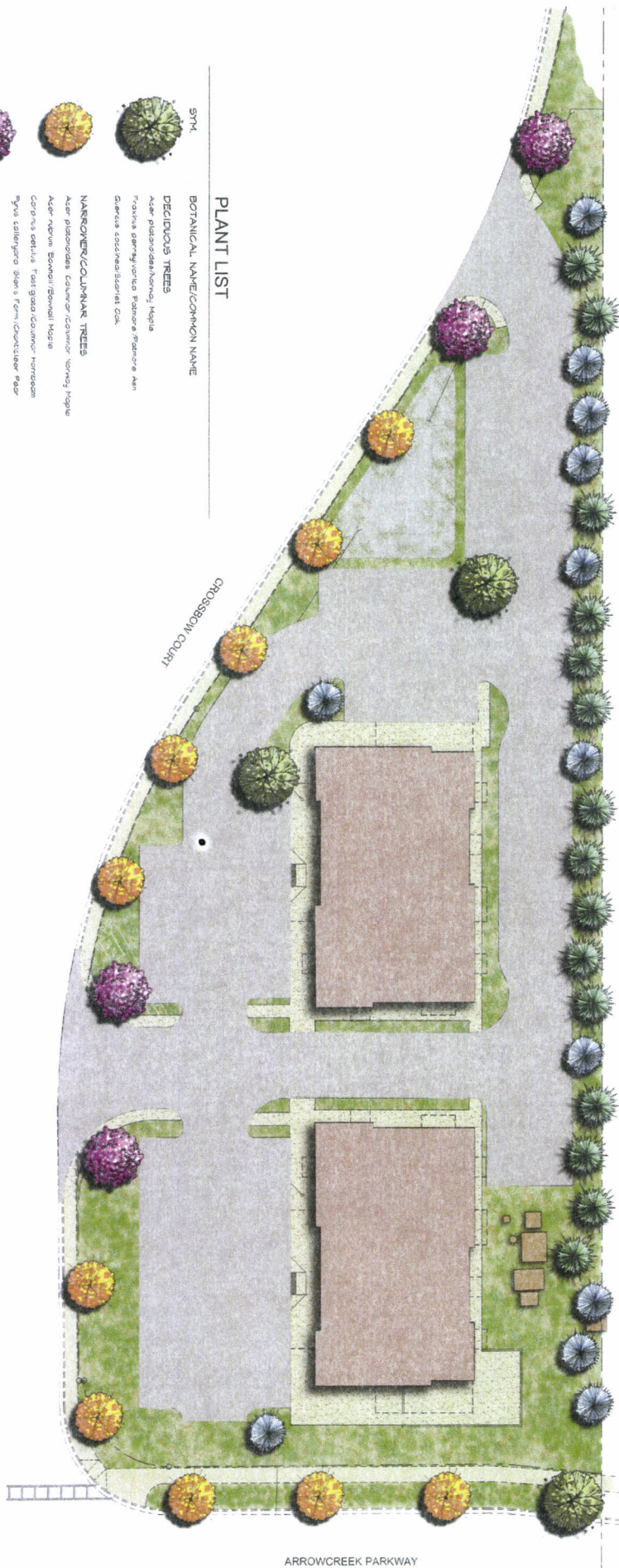
My commission expires: Nov 1, 2014



INSTRUCTIONS ONLY. DO NOT INCLUDE WITH APPLICATION SUBMITTAL.

Appeal of Decision Development Application Submittal Requirements

- XX 1. **Fees:** See fee sheet included in application packet.
 - XX 2. **Development Application:** A completed Washoe County Appeal of Decision Application form.
 - XX 3. **Appellant Affidavit:** The Appellant Affidavit must be signed and notarized.
 - XX 4. **Application Materials:** The completed Appeal of Decision Application materials.
 - XX 5. **Packets:** Either one electronic packet (DVD or flash drive) with 2 paper copies **OR** 10 paper copies. **If packet on DVD or flash drive is incomplete, a replacement or additional paper copies will be required.**
-



PLANT LIST

SYN. BOTANICAL NAME/COMMON NAME

DECIDUOUS TREES

Acer platanoides Norway Maple
Fraxinus pennsylvanica Fraxinus
Quercus alba White Oak

NARROW COLUMNAR TREES

Asplenium adnigrum Common Fern
Asplenium platyneuron Common Fern
Asplenium adnigrum Common Fern
Asplenium platyneuron Common Fern

ACCENT TREES

Malus baccata Malus
Malus baccata Malus

EVERGREEN TREES

Thuja occidentalis Thuja
Thuja occidentalis Thuja

NATIVE/ADAPTED PLANT PALETTE

Asplenium adnigrum Common Fern
Asplenium platyneuron Common Fern
Asplenium adnigrum Common Fern
Asplenium platyneuron Common Fern

ORNAMENTAL PLANT PALETTE

Asplenium adnigrum Common Fern
Asplenium platyneuron Common Fern
Asplenium adnigrum Common Fern
Asplenium platyneuron Common Fern

GENERAL NOTES

- 1) ALL PLANTING AND IRRIGATION SHALL BE INSTALLED PER LOCAL GOVERNMENT CODES.
- 2) PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL LANDSCAPE ARCHITECTURE (NLA) PRACTICE STANDARD. ALL PLANTS SHALL BE SPECIFIED BY BOTANICAL NAME, COMMON NAME, SIZE, AND QUALITY. ALL PLANTS SHALL BE SPECIFIED BY BOTANICAL NAME, COMMON NAME, SIZE, AND QUALITY. ALL PLANTS SHALL BE SPECIFIED BY BOTANICAL NAME, COMMON NAME, SIZE, AND QUALITY.
- 3) ALL PLANTS SHALL BE SPECIFIED BY BOTANICAL NAME, COMMON NAME, SIZE, AND QUALITY.
- 4) ALL PLANTS SHALL BE SPECIFIED BY BOTANICAL NAME, COMMON NAME, SIZE, AND QUALITY.

LANDSCAPE DATA

- 1) PROJECT AREA: 10.43 AC (1/4 ACRES)
- 2) CLIENT: ARROWCREEK PARKWAY
- 3) PROJECT AREA: 10.43 AC (1/4 ACRES)
- 4) PROJECT AREA: 10.43 AC (1/4 ACRES)

Scale in Feet



No.	Revision	Date
1	1	1/1/2024



Board of Adjustment Staff Report

Meeting Date: August 7, 2014

Agenda Item Number: 8.D.

Subject: Special Use Permit Case Number SB14-013

Applicant(s): Crossbow Court Neighborhood Center

Project Summary: To construct a small neighborhood commercial center, consisting of two (2) 6,000 square foot buildings on two (2) parcels.

Recommendation: Approval with Conditions

Prepared by: Sandra Monsalvé, AICP, Senior Planner
Washoe County Community Services Department
Planning and Development Division
Phone: 775.328.3608
E-Mail: smonsalve@washoecounty.us

Description

Special Use Permit Case Number SB14-013 (Crossbow Court Neighborhood Center) – To construct a ±12,000 square foot Neighborhood Commercial Center comprised of two separate ±6,000 square foot buildings on two contiguous parcels, to be located at the northeast corner of Crossbow Court and Arrowcreek Parkway.

- Applicant/Property Owner: Helvetica CTV Crossbow, LLC
Attn: Chad Mestler or Dave Gash
- Professional Consultant: Kenneth Krater, P.E.
- Location: 2500 & 2540 Crossbow Court
Reno, NV 89511
- Assessor's Parcel Numbers: 152-921-01 and 152-921-02
- Parcel Size: ±.75 and ±1.06 acres
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: Low Density Suburban (LDS)
- Area Plan: Southwest Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 810, Special Use Permits; and
Section 110.304.25, Commercial Use Types
- Commission District: 2 – Commissioner Humke
- Section/Township/Range: Portion of SW ¼ Section 24, T18N, R19E, MDM
Washoe County, NV

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Exhibits Contents

Conditions of Approval	Exhibit A
Site Plan	Exhibit B
Site Elevations	Exhibit C
Preliminary Landscaping Plans	Exhibit D
Sign Criteria	Exhibit E
Agency Comments and Correspondence.....	Exhibit F
South Truckee Meadows/Washoe Valley Citizen Advisory Board Comments	Exhibit G
Community Correspondence.....	Exhibit H
Application Packet	Exhibit I
Noticing Map.....	Exhibit J

Project Application

The project application may be reviewed in its entirety on the Washoe County website at http://www.washoecounty.us/comdev/da/da_index.htm

Special Use Permit

The purpose of a special use permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. The Board of Adjustment is authorized to issue special use permits under NRS 278.315 and Washoe County Code Article 810. Certain notice requirements must be met, which are discussed in this report. In approving the special use permit, the Board must consider and make five Findings of Fact, which are discussed below. The notice requirements and findings are discussed in this report. The Board of Adjustment is allowed to grant an approval of the special use permit that is subject to Conditions of Approval. Conditions of Approval (Exhibit A) are requirements that need to be completed during different stages of the proposed project, including conditions prior to permit issuance, prior to obtaining a final inspection and/or certificate of occupancy, prior to issuance of a business license, or ongoing "operational conditions" which must be continually complied with for the life of the project.

Conditions of Approval: The Conditions of Approval for this case are attached to this staff report as Exhibit A and will be included with the Action Order.

Vicinity Map



[illegible]

The image displays four architectural elevations of a commercial building, each with detailed material and system annotations:

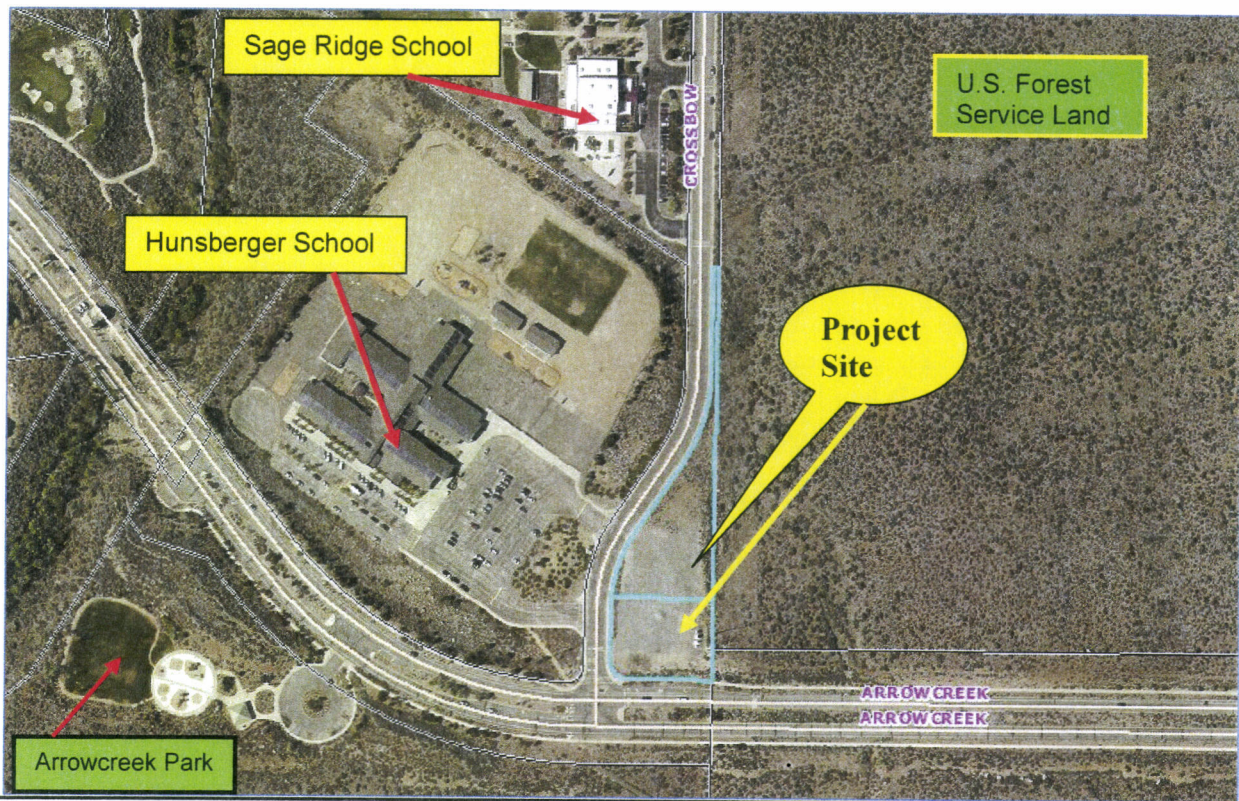
- West Elevation:** Shows storefronts for Tony's, Coffee, Deli, Gifts, and Pets. Annotations include: Stainless Steel Posts with Concrete Base, FFSS Glazed System, Metal Roof Awning, Low-E Insulated Glazing, Metal Cap Flashing, Parapet ~1'4" (1'6" for Pets), and CMU Parapet Wall.
- South Elevation:** Shows the Tony's storefront and a side section. Annotations include: 30" H, Sign Letters, FFSS Glazed System, Metal Roof Awning, CMU Parapet Wall, Parapet ~1'4" (1'6" for Pets), and CMU Parapet Wall (Beyond).
- North Elevation:** Shows the side section and the Pets storefront. Annotations include: CMU Parapet Wall (Beyond), Metal Roof Awning (Electrical Service), FFSS Glazed System, Low-E Insulated Glazing, and 30" H, Sign Letters.
- East Elevation:** Shows storefronts for Tony's, Coffee, Deli, Gifts, and Pets. Annotations include: CMU Parapet Wall, FFSS Glazed System, Metal Cap Flashing, Metal Roof Awning, Low-E Insulated Glazing, Parapet ~1'4" (1'6" for Pets), 30" H, Sign Letters, FFSS Glazed System, Metal Roof Awning, Stainless Steel Posts with Concrete Base, and CMU Parapet Wall.

A scale bar at the bottom right indicates dimensions in feet: 0, 10, 20, 30.

Project Evaluation

Existing Conditions

The proposed project site consists of two (2) parcels totaling ± 1.82 acres, currently undeveloped. The zoning on the properties is Low Density Suburban (LDS). The proposed project site is adjacent to other properties zoned Low Density Suburban (LDS) to the east, north, west, and south. Immediately to the east are ± 91.46 -acres of undeveloped property owned by the United States Forest Service; to the south is Arrowcreek Parkway, with residences south of the Parkway. To the north is more undeveloped land, and to the northwest and to the west are two schools: Hunsberger Elementary School (a Washoe County School District site), Arrowcreek Park; and to the north of Hunsberger is Sage Ridge School, a private school. The project site is directly across the street (Crossbow Court) from Hunsberger Elementary School and approximately 450-feet minimum from Hunsberger School building(s), and approximately 350-feet from the nearest residence which is to the south.



Analysis

The applicant is proposing to construct a small Neighborhood Commercial Center, consisting of two (2) $\pm 6,000$ square foot buildings on two (2) contiguous parcels located at the northeast corner of Arrowcreek Parkway and Crossbow Court. It is envisioned that the center will provide immediate neighborhood retail and light commercial services for nearby residents, which could potentially reduce the number of vehicular trips to the larger shopping centers, approximately 3 to 3 $\frac{1}{2}$ miles to the southeast at Wedge Parkway or northeast to South Virginia Street and Damonte Ranch Parkway. In order to lessen potential impacts, the applicant has indicated there will be no drive-through businesses, no liquor sales, and no tobacco sales planned as part of the overall proposed development.

Anticipated site improvements include extensive landscaping and fencing for buffering and aesthetics to neighboring properties; building design and architectural features synonymous with the immediate built environment, including overall building height(s); and storm drain improvements; and connection to existing water and sanitary sewer systems. The applicant has proposed hours of operation for food establishments to be from 6:00 a.m. to 10:00 p.m. Monday through Thursday, 6:00 a.m. to 12:00 a.m. Friday & Saturday; and from 8:00 a.m. to 10:00 p.m. on Sundays. All other retail store hours are anticipated to be from 8:00 a.m. to 10:00 p.m. seven days a week.

Due to the residential nature of the neighborhood, and community concerns, staff is proposing alternative food establishment business hours of operation to be from 7:00 a.m. to 10:00 p.m. Monday through Sunday, and retail business hours from 8:00 a.m. to 9:00 p.m., Monday through Sunday.

Property Maintenance

The applicant has indicated there will be Conditions, Covenants, and Restrictions (CC&Rs) recorded in order to provide guidelines for overall regulations of the Neighborhood Center, between the tenants and the landlord. The CC&Rs are intended to govern the overall operations of the shopping center, in addition to overall site maintenance, including lighting (maintain Dark Sky standards), signage, landscaping, and hours of operation.

Infrastructure

The applicant has indicated that water will be provided by the purchase of water rights to serve the project. The water is anticipated to be Truckee River water rights, however, until the merger between Washoe County and the Truckee Meadows Water Authority (TMWA) is completed, Washoe County Water Resources is requiring (per Conditions of Approval) groundwater rights in order to serve the proposed project. Community sewer is available and will be used for this project as well.

The applicant has proposed new paint striping at the center of the right-of-way of Crossbow Court in order to better delineate lane division, in addition to painting the curb red along the entire business frontage, indicating "No Parking" along Crossbow Court on the east side.

Master Plan/Land Use Designations

The project has a Master Plan designating Suburban Residential (SR) with a Regulatory Zone of Low Density Suburban (LDS). Although residential in nature, the Low Density Suburban (LDS) regulatory zone does allow limited commercial use types. On the next page are the definitions, as published in the Washoe County Development Code, of both the Regulatory Zone category of Low Density Suburban (LDS) and the Master Plan category of Suburban Residential (SR).

Section 110.106.15 Regulatory Zone

- (f) **Low Density Suburban Regulatory Zone:** The Low Density Suburban (LDS) Regulatory Zone is intended to create and preserve areas where single-family, detached homes on one (1) acre lots are predominant. Small neighborhood commercial uses may be permitted when they serve the needs of residents and are compatible with the residential character of the area. The maximum number of dwelling units that may be located in this regulatory zone is one (1) unit per one (1) acre. The minimum lot area in this regulatory zone is thirty-five thousand (35,000) square feet.

Section 110.106.10 Master Plan Categories

- (c) **Suburban Residential:** The Suburban Residential Master Plan category is intended primarily for residential uses of low to medium densities. Supporting neighborhood scale commercial uses and mixed use village center development is allowed with approval of a discretionary permit. The following Regulatory Zones are allowed in and are consistent with the Suburban Residential Master Plan category: Low Density Suburban One, Low Density Suburban Two, Medium Density Suburban, Medium Density Suburban Four, High Density Suburban, Public and Semi-Public Facilities, Specific Plan, Parks and Recreation, and Open Space.

Use Type

The Use Type explains the uses of land as categorized within the Washoe County Development Code. The proposed project is classified as a Neighborhood Center, which falls under the category in the Development Code as a Commercial Center. Below are the section numbers of the use type as found within the Washoe County Development Code, Article 304, Use Classification System:

Section 110.304.25 Commercial Use Types: Commercial use types include the distribution and sale or rental of goods, and the provision of services other than those classified as civic or industrial use types. All permanent commercial uses are required to operate from a commercial structure.

- (f) **Commercial Centers:** Commercial centers use type refers to a group of unified commercial establishments built on a site which is planned, developed, owned and managed as an operating unit. The following are commercial center use types:
- (1) **Neighborhood Centers:** Neighborhood centers refers to sales of convenience goods (foods, drugs and sundries) and personal services, those which meet the daily needs of an immediate neighborhood trade area. A neighborhood center typically includes convenience retail and services a population of 2,500 to 40,000 people, typically has a service area radius of one-half to one-and-one-half miles, and has a typical range of 15,000 to 50,000 square feet of gross leasable area.

The proposed Crossbow Court Neighborhood Center will be a total of 12,000 square feet, 6,000 square feet for each building. Approximately four to five tenants per building are anticipated.

Traffic Flow/Access

It has been anticipated that the majority of business traffic for the neighborhood center will be from local area residents of the surrounding subdivisions and local schools, which would be typical of small neighborhood centers of this size and location.

The applicant has provided preliminary traffic generation estimates. The proposed project is anticipated to generate approximately 515 Average Daily Trips (ADT), with 12 morning Peak Trips and 45 evening Peak Trips, based on the Institute of Transportation Engineers (ITE) Land Use Code 820 for Retail, Trip Generation Manual. Washoe County Engineering typically requires a certified Traffic Study if a project exceeds 80-peak hour ADT. The Washoe County Traffic Engineer has added three conditions related to traffic (Exhibit F). However, because the proposed project does not exceed the required 80-peak hour ADT, a Traffic Study was not required.

The project site is located directly east (across the street) of Hunsberger Elementary School and south of Sage Ridge School. In anticipation of traffic conflicts during peak traffic periods, the applicant has met with both school principals in order to seek ways of mitigating traffic impacts resulting from the project. Proposed mitigation measures include driveway alignment; interior parking lot flow exiting to the north; street signage; and red curb painting indicating "No Parking".

For driveway alignment from Hunsberger Elementary School directly across the street from the project site (to the west), the applicant has proposed an entrance that will be "Right-Turn In" only at the southeast portion of the neighborhood shopping center. Interior traffic flow is planned to direct traffic to the north towards an "Exit-Only" driveway to the northern portion of the project site driveway and away from the Hunsberger Elementary School driveway. In an effort to deter potential parent parking for Hunsberger Elementary School along Crossbow Court, the applicant has also proposed to paint the curb red along the east side of Crossbow Court for the entire length (south to north) of the project site's business frontage; and post "No Parking" signs along this curb.

Parking

Section 110.410.10 Parking and Loading, Required Parking Spaces, Table 110.410.10.3 of the Washoe County Development Code states the proposed use Neighborhood Shopping Center (Commercial Centers – all types) requires 5 parking spaces per 1,000 square feet of building area. The proposed project is anticipated to be a maximum of 12,000 square feet, therefore requiring 60 parking spaces, 3 of which must be handicap accessible and meet the handicap parking design requirements. The applicant has proposed 57 parking spaces, and 3 van accessible handicap spaces. All business loading/un-loading areas are planned to be on the east side of the two (2) buildings in order to be screened from residential uses. Additionally all trash and recycle enclosures will be screened with the appropriate enclosure type and fencing (6 to 8 feet high fencing consisting of chainlink with vinyl slats or concrete block enclosure), per Washoe County Development Code standards. Lastly, signage will be posted within the loading area indicating "No Truck Idling", per appropriate Health Department Regulations in order to mitigate and reduce noise impacts.

Signage/Lighting

Signage:

The applicant has proposed Sign Criteria in order to provide consistency and uniformity of signage throughout the Neighborhood Center. The applicant is proposing an 8-foot tall Monument style sign to be placed at the southwest corner of the project site. Each building is proposed to have wall identification signage, with a maximum letter height of 30 inches and colors to be compatible with the overall project color palette. All proposed signage must be in compliance with the Washoe County Development Code, Article 504, Sign Regulations.

Lighting:

All on site lighting must be Dark Sky certified, down shielded, and not have spillover glare, per the Washoe County Development Code, Article 414, Noise and Lighting Standards. Lights cannot exceed 12 feet in total height if within 100 feet of a residentially zoned property. Wall mounted lights are anticipated to have a maximum wattage of 175w, and pole mounted lights a maximum wattage of 250w. All lighting must be in compliance with Article 414.

Landscaping

Washoe County Development Code, Section 110.412.40, Landscaping, Civic and Commercial Use Types sets forth standards for landscaping. The Code states that "the following minimum landscaping requirements shall apply to the total developed land area for civic and commercial uses..."

- (a) Coverage: A minimum twenty (20) percent of the total developed land area shall be landscaped. Any disturbance to undeveloped portions of a site shall be mitigated.
- (b) Required Yards Adjoining Streets: All required yards, which adjoin a public street, shall be landscaped and shall include at least one (1) tree for every fifty-(50) linear feet of street frontage, or fraction thereof.
- (c) Landscaped Buffers Adjoining Residential Uses: When a civic or commercial use adjoins a residential use, a landscaped buffer is required as follows:
 - (1) The buffer shall be the width of the required front, side or rear yard for the entire length of the adjoining property line; and
 - (2) The buffer shall include at least one (1) tree every twenty (20) linear feet of property frontage, or fraction thereof, planted in off-set rows or groupings to achieve maximum screening.
- (d) Screening Adjoining Residential Uses: When a civic or commercial use adjoins a residential use, a solid decorative wall or fence shall be erected along the entire length of the common property line. This wall or fence shall be at least six (6) feet but not more than seven (7) feet in height.

The subject properties abut residentially zoned land to the east (zoned Low Density Suburban) consequently the following buffering standards shall be applicable: Section 110.406.50, Fences, Walls or Perimeter Planting (b) Commercial and Industrial Use Types sets forth

standards for screening when a commercial use abuts residential uses. The applicant will be required to construct a minimum six foot fence or wall, but not exceed eight-feet in height, in order to mitigate potential impacts.

Landscaping Provided

The proposed landscaping will consist of a mixture of evergreen and deciduous trees and shrubs, with a balanced mix of ground cover. The project area is approximately 76,156 square feet, which yields a required landscaping calculation of 15,231 square feet for the proposed project. ($76,156 \times 20\% = 15,231$). The applicant is proposing a total of 44 trees, 12 street trees, 6 parking lot area trees, and 26 buffer area trees. The trees will be a mixture of columnar, accent, evergreen and deciduous varieties. Additionally, all shrubs and groundcover will be a combination of native and ornamental plants specific to the soil types found in the immediate area.

Design Review Committee

The applicant will be required (per Conditions of Approval) to attend the Design Review Committee for final review and approval of all project site designs. This review shall include all landscaping, lighting, signage, trash enclosure(s), and architectural styles/features, building colors, fencing, and all irrigation.

Southwest Truckee Meadows Area Plan Modifiers

Article 214, Southwest Truckee Meadows Area, has one section applicable to this proposed application:

Section 110.214.10 Height Restriction: In addition to height restrictions established in Article 402, Density/Intensity Standards, and Article 406, Building Placement Standards, all new commercial structures in commercial or residential regulatory zones are limited to two stories in height, not to exceed thirty-five (35) feet in height. If the underlying building pad has a slope in excess of fifteen (15) percent, an additional six (6) feet shall be added to the thirty-five (35) foot maximum. The Uniform Building Code (UBC), as currently enacted, shall be used as the measuring standard. Those structures and uses identified in Section 110.402.10, Heights, Special Provisions, are not subject to this section.

Staff Note: The Uniform Building Code (UBC) has been replaced with the International Building Code (IBC).

The applicant has proposed to be under the allowed thirty-five (35) foot maximum building height for the Neighborhood Center.

Relevant Southwest Truckee Meadows Area Plan Policies

In addition to the Washoe County Development Code Article 214, Southwest Truckee Meadows Area, the following excerpts of policies and/or action programs contained in the Southwest Truckee Meadows Area Plan, ArrowCreek Wildland Transition Suburban Character Management Area are relevant to the proposed special use permit:

Land Use

Goal One: The pattern of land use designations and the specific allowed land uses in the Southwest Truckee Meadows Area Plan will implement the community character described in the Character Statement

Character Statement

The Southwest Truckee Meadows planning area is a varied and unique area, spanning approximately 46.7 square miles and located in the southern portion of Washoe County, at the foothills of the Carson Range. It is bounded on the west by the Toiyabe National Forest, on the north by the Truckee River, on the east by I-580 and South Virginia Street, and on the south by the Steamboat Hills and the Mt. Rose Highway." Neighborhood commercial development shall contribute to community character through careful consideration of architectural, landscaping, and site development standards. Washoe County will encourage and promote a mix of quality commercial services tailored to the growing needs of local residents."

Goal Two: Common Development Standards in the Southwest Truckee Meadows Planning Area Establish development guidelines that will implement and preserve the community character commonly found within the Southwest Truckee Meadows planning area.

Policies

- SW.2.3 Applicants directed to obtain a variance, special use permit, tentative map, or master plan amendment shall be required to present their items to the Citizen Advisory Board (CAB) and submit a statement to staff regarding how the final proposal responds to the community input received at the CAB.
- SW.2.5 Any lighting proposed must show how it is consistent with current best practice "dark-sky" standards. In subdivisions established after the date of final adoption of this plan the use of streetlights will be minimized.
- SW.2.6 Street lights, security lights, and other outdoor lighting should be powered by solar or other renewable energy sources whenever possible.
- SW.2.8 All landscape designs will emphasize the use of native vegetation, with non-native and atypical vegetation integrated sparingly into any landscaped area.
- SW.2.10 The impact of development on adjacent land uses will be mitigated. The appropriate form of mitigation should be determined through a process of community consultation and cooperation. Applicants should be prepared to demonstrate how the project conforms to this policy.

- SW.2.14 The approval of all special use permits and administrative permits must include a finding that the community character as described in the character statement can be adequately conserved through mitigation of any identified potential negative impacts. Mitigation measures shall be reviewed by the Washoe County Planning Commission as well as by the relevant Citizen Advisory Board.

Goal Eight: The Southwest Truckee Meadows planning area will contain an extensive system of trails that integrates other recreational facilities, the Regional Trail System, public lands, schools, and transit facilities. This trail system will contribute to the preservation and implementation of the community character.

Policies

- SW.8.5 As new residential and commercial properties develop in the Southwest Truckee Meadows planning area, the Washoe County Department of Regional Parks and Open Space will review development proposals for potential trail connections.

Water Resources – Supply

Goal Fifteen: Water resources will be supplied to land uses in the Southwest Truckee Meadows planning area according to the best principles/practices of sustainable resource development. Because all existing residences are supplied by groundwater wells, future development must be constrained to the sustainable groundwater yield of the basins in the planning area. Pumping impacts to existing domestic wells shall be minimized. Whenever possible, future water supply systems will be designed to lessen the burden on existing municipal and domestic wells.

Policies

- SW.15.3 Water rights shall be dedicated to Washoe County for all maps of division into large parcels, parcel maps, and subdivision maps, as well as all new, civic, commercial and industrial uses.

South Truckee Meadows/Washoe Valley Citizen Advisory Board

The proposed project was reviewed and discussed at the Citizen Advisory Board (CAB) on July 10, 2014. The applicant presented the project, and staff explained the Planning Process for special use permit applications. The minutes of the meeting are attached (Exhibit G), as are all public correspondence received by staff (Exhibit H). After extensive discussion of the project and comments/concerns heard from community members, the CAB made a motion to not support the proposed project. That motion carried, with four in favor and two opposed. The two CAB members opposed to the motion indicated that the project will include conditions from all agency staff, which are intended to mitigate all potential impacts resulting from the project; and that the use is allowed with the approval of a special use permit, per Washoe County Code.

Comments heard at the CAB meeting and received by staff vary from positive to negative, (i.e. some for the project, and others opposed). These comments heard by staff include: traffic concerns, compatibility concerns within the neighborhood and the schools, child safety concerns, hours of operation, noise, lighting, types of businesses, view impediments, and business unsustainability.

Other comments voiced at the meeting include: anticipation of having small businesses servicing the community, especially the potential businesses offering coffee in the mornings, and that the neighborhood center would be a good thing for the community.

Staff has received several phone calls and correspondence via email from citizens inquiring about the project. Some citizens are in favor of the project, while others are opposed.

Reviewing Agencies

The following agencies/individuals received a copy of the project application for review, comments and/or conditions:

- Nevada Department of Wildlife (NDOW)
- Washoe County District Attorney, Civil Division
- Washoe County Community Services Department
 - Building and Safety
 - Parks and Open Space
- Washoe County Engineering & Capital Projects
 - Land Development
 - Roads
 - Traffic
 - Water Rights
 - Water/Sewer
- Washoe County Sheriff: Law Enforcement
- Washoe County District Health
 - Environmental Health
 - Mosquito/Vector Control
- Truckee Meadows Fire Protection District
- South Truckee Meadows/Washoe Valley Citizen Advisory Board
- Regional Transportation Commission
- Washoe County School District
- Washoe-Storey Conservation District
- Principal of Hunsberger Elementary School via Mike Boster, WCSD

Of the applications sent out to the above agencies, the following is a brief **summary** of those that provided agency comments and/or recommended conditions of approval and their contact information. The Conditions of Approval document is attached to this staff report and will be included with the Action Order.

Washoe County Planning and Development addressed site design and screening requirements, hours of operation, and operational conditions.

- **Contact: Sandra Monsalve**, AICP, 775.328.3608, smonsalve@washoecounty.us

Washoe County Engineering and Capital Projects addressed construction improvement plans and grading.

- **Contact: Leo Vesely**, 775.328.2040, lvesely@washoecounty.us

District Health Department, Mosquito/Vector Control provided comments in regard to catch/detention basins.

- **Contact: J.L. Shaffer**, 775.785.4599, JShaffer@washoecounty.us

Washoe County School District provided the following comments in regard to traffic congestion, student safety, parking, and school zone speed limits.

- **Contact: Mike Boster**, 775.789.3810, mboster@washoeschools.net
 - Student safety crossing Crossbow Court before and after school
 - Increased traffic congestion during peak drop off and pick up times
 - Conflicts with the business owners and parents over parking
 - Arrowcreek Parkway is the only ingress/egress point for Hunsberger ES, Sage Ridge School and the surrounding residentially zoned properties that may allow limited commercial uses (with the approval of a special use permit)
 - Traffic may be especially difficult during construction of the center

Note: "District representatives have met with the developer's representative, Mr. Ken Krater, to discuss these issues and to formulate mitigation strategies. The District will work cooperatively with both the developer and Washoe County should this project be approved by the Board of Adjustment."

REQUIRED FINDINGS**Findings required by Washoe County Code Section 110.810.30 for a Special Use Permit:**

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest Truckee Meadows Area Plan;

Staff Comment: Staff has reviewed the Master Plan and the Southwest Truckee Meadows Area Plan and has not identified any provisions or policies that are not in compliance with the proposed project.

2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven of the Development Code;

Staff Comment: The proposed project is in compliance with Division Seven of the Washoe County Development Code.

3. Site Suitability. That the site is physically suitable for a neighborhood center and for the intensity of such a development;

Staff Comment: The proposed project site is relatively flat, undeveloped, and will be mitigated accordingly by conditions of approval from all reviewing agencies.

4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

Staff Comment: Based on the Policies of the Master Plan, Southwest Truckee Meadows Area Plan, the proposed project is in compliance with the Character Statement of the Area Plan. The requirements of the Washoe County Development Code, including the discretionary permit process have been met; as the proposed project will be mitigated accordingly by all reviewing agencies with Conditions of Approval, in order to address any potential negative impacts as a result of the project.

5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Staff Comment: There is no military installation nearby.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Special Use Permit Case Number SB14-013 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration:

Motion

I move to adopt all of the five findings listed in the staff report and based on those findings approve Special Use Permit Case Number SB14-013 for Crossbow Court Neighborhood Center, subject to the conditions contained in Exhibit A to the staff report. The findings are adopted based on individual consideration of information contained in the staff report (including, but not limited to the staff comments regarding the findings) and all exhibits as well as testimony and exhibits presented at the public hearing. Counsel for the Board and the Board Secretary are hereby directed to prepare a written Action Order consistent with this motion.

Appeal Process

As provided in Washoe County Code Section 110.810.50, an appeal to the Board of County Commissioners may be taken within ten days from the filing of the Action Order.

xc:

Property Owner/Applicant: Helvetica CTV Crossbow, LLC, Attn: Chad Mestler or Dave Gash, 5927 Balfour Court, Suite 208, Carlsbad, CA 92008-7377.

Professional Consultant: Kenneth Krater, P.E., 901 Dartmouth Drive, Reno, NV 89509.



Conditions of Approval

Special Use Permit Case Number SB14-013

The project approved under Special Use Permit Case Number SB14-013 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on August 7, 2014. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes.

Unless otherwise specified, all conditions related to the approval of this Special Use Permit shall be met or financial assurance must be provided to satisfy the Conditions of Approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Development Division of the Washoe County Community Services Department.

Compliance with the Conditions of Approval related to this Special Use Permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Special Use Permit may result in the initiation of revocation procedures.

Washoe County reserves the right to review and revise the Conditions of Approval related to this Special Use Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "Conditions of Approval" are referred to as "Operational Conditions." These conditions must be continually complied with for the life of the project or business.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies.

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.**

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Development Division

1. The following conditions are requirements of the Planning and Development Division of the Washoe County Community Services Department, which shall be responsible for determining compliance with these conditions.

Contact Name – Sandra Monsalve, AICP, 775.328.3608

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Development Division shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two (2) years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Development Division.
- c. The applicant shall attach a copy of the Action Order approving this project to all administrative permit applications (including building permits) applied for as part of this special use permit.
- d. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

- e. The applicant shall meet with Planning and Development Division staff and the Washoe County School District (WCSD) staff prior to the finalization of all traffic improvements proposed for the project site.

- f. The applicant shall review a construction time-table with Planning and Development Division staff and the Washoe County School District (WCSD) staff prior to commencing site development. The operations of concrete-mixer truck deliveries and dirt/debris removal shall not occur during peak school drop-off or pick-up hours. There shall be no stacking of construction trucks/concrete-mixer trucks (i.e. more than one (1) truck at a time) along Crossbow Court or Arrowcreek Parkway during construction.

- g. The following **Operational Conditions** shall be required for the life of the project:
 - 1. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
 - 2. Failure to comply with the Conditions of Approval shall render this approval null and void. Compliance with this condition shall be determined by the Planning and Development Division.
 - 3. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Planning and Development Division staff to review Conditions of Approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Planning and Development Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
 - 4. Hours of operation for all food/beverage type businesses on-site shall be from 7:00 a.m. to 10:00 p.m. Monday through Sunday, and retail business hours from 8:00 a.m. through 9:00 p.m. Monday through Sunday.
 - 5. The applicant/property owner(s) shall provide the master Sign Criteria document to all tenants of the neighborhood shopping center. All signs must comply with the master Sign Criteria document and the Washoe County Development Code for Signage. The master Sign Criteria document shall be provided to, and filed with, the Planning and Development Division of the Community Services Department.
 - 6. The applicant/property owner(s) of the neighborhood shopping center shall create and record Conditions, Covenants, and Restrictions (CC&Rs). The CC&Rs shall be submitted to the Planning and Development staff for review and subsequent forwarding to the District Attorney for review and approval. The final CC&Rs shall be signed and notarized by the owner(s) and submitted to the Planning and Development Division with the recordation fee prior to the issuance of project building and grading permits.
 - 7. All tenants and/or property owner(s) of the neighborhood shopping center shall obtain all required licensure from Washoe County Business License prior to opening for any and all business operations.

8. All tenants and/or property owner(s) of the neighborhood shopping center shall obtain all required permits from the Washoe County Building and Safety Division prior to completing any and all structural/tenant building improvements.
9. The property owner(s)/applicant shall be required to, and with the approval of the Washoe County Traffic Engineer:
 - a. Paint the curb red along the entire business/project frontage along Crossbow Court, and post "No Parking" sign(s).
 - b. Create a right-turn in only driveway (across from Hunsberger Elementary School driveway) on the south side of the project site on Crossbow Court. All internal traffic flow shall exit at the northernmost driveway of Crossbow Court. Directional signage shall be posted within the shopping center parking lot areas.
 - c. Re-stripe the centerline of Crossbow Court for lane clarity and delineation.
- h. The following **Landscaping and Design** conditions shall be fulfilled:
 1. Prior to any ground disturbing activity, the applicant shall submit a landscaping/architectural design plan to the Planning and Development Division for review and approval by the Design Review Committee. Said plan(s) shall address, but not be limited to: type and color of building materials, general architectural design, parking, parking lot circulation and striping, signage, exterior lighting, fencing, trash enclosures, landscaping (if plant material: type, size at time of planning, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained accordingly.
 2. A certification letter or series of letters by a landscape architect registered in the State of Nevada shall be submitted to the Planning and Development Division. The letter(s) shall certify that all applicable landscaping provisions of Articles 410 and 412 of the Development Code have been met. All landscaping plans and the letters shall be wet-stamped.
 3. A solid masonry wall or other material with sound attenuating properties with a maximum height of 8-feet shall be installed along the eastern property line of the subject properties which make up the project site that abuts existing residentially zoned property. The wall shall be designed in a fashion that harmoniously blends with the surrounding neighborhood.
- i. The following **Design Review** conditions shall be fulfilled:
 1. The applicant will be required to submit a landscaping/architectural plan which shall be reviewed and approved by the Washoe County Design Review Committee prior to any ground-disturbing activity. Said plan(s) shall address:

- a. Type and color of building materials, including a color palette
- b. Articulation of all building sides
- c. Outdoor furniture (if any), landscaping and specialized paving materials (if any)
- d. All project signage and the master Sign Criteria, including any monument signage
- e. The proposed lighting fixtures and poles, including intensity of illumination and containment of spillage upon the property
- f. Landscaping and plant material, including type, size at time of planting, maturation size at full growth, period of time between planting and full growth
- g. Revegetation plan
- h. Drainage and detention/catch basin pond(s)
- i. Landscaping irrigation system
- j. Fencing/wall material(s)
- k. Trash enclosure materials and landscaping for screening purposes

Washoe County Building and Safety Division

2. The following condition is a requirement of the Washoe County Building & Safety Division, which shall be responsible for determining compliance with this condition.

Contact Name – Don Jeppson, 775.328.2020

- a. The applicant(s) shall be required to obtain all necessary grading and building permits, prior to the construction of the neighborhood shopping center.

Washoe County Engineering and Capital Projects Division - Land Development

3. The following conditions are requirements of the Land Development, Engineering and Capital Projects Division, which shall be responsible for determining compliance with these conditions.

Contact Name - Leo Vesely, 775.328.2040

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with Best Management Practices (BMPs) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. The applicant shall obtain from the Nevada Division of Environmental Protection, a Stormwater Discharge Permit for construction and submit a copy to the Engineering and Capital Projects Division prior to issuance of a grading permit.
- c. The applicant shall complete and submit the Construction Permit Submittal Checklist, the Performance Standards Compliance Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
- d. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering and Capital Projects Division prior to the issuance of a grading permit.
- e. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the County Engineer with technical assistance from the Washoe-Storey Conservation District.
- f. A hydrology/hydraulic report prepared by a registered engineer shall be submitted to the Engineering and Capital Project Division for review and approval. The report shall include the locations, points of entry and discharge, flow rates and flood limits of all 5- and 100-year storm flows impacting both the site and offsite areas and the methods for handling those flows. The report shall include all storm drain pipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties.
- g. Any increase in storm water runoff resulting from the development shall be detained on-site to the satisfaction of the County Engineer.
- h. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures and rip rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the County Engineer.

- i. The applicant shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the County Engineer.
- j. The minimum pavement requirements for on-site paving shall be three inches (3") of asphalt over six inches (6") of granular base to the satisfaction of the County Engineer.
- k. The applicant shall obtain a street excavation permit for the driveway approaches.
- l. All improvements in the County right-of-way shall be constructed in accordance with County standards.
- m. The southern driveway shall line up with the existing driveway or meet standard separation requirements.
- n. The proposed sign at the corner of Crossbow Court and Arrowcreek Parkway shall not block sight distance on either Crossbow Court or Arrowcreek Parkway.
- o. Existing sidewalk shall be perpetuated along the entire property frontage.

Washoe County Engineering and Capital Projects Division - Water Resources

4. The following conditions are requirements of Engineering and Capital Projects Division, Water Resources which shall be responsible for determining compliance with these conditions.

Contact Name: - John Cella, 775.954.4600

- a. Water rights dedications requirements shall be in accordance with Article 422 of Washoe County Code Chapter 110 (Development Code), all applicable ordinances, and the Southwest Truckee Meadows Area Plan. Ground water rights in quantities approved by Washoe County Community Services Division (CSD) shall be dedicated to Washoe County prior to release of the building permit(s); and must be in good standing with the State Division of Water Resources and shall reflect the point of diversion, place of use, and manner of use satisfactory to the CSD Water Resources.
- b. Construction plans for the public water and sewer improvements shall be approved prior to release of the building permit. They shall be in compliance with CSDWR Design Standards, NAC 625 and NAC 445-A.
- c. All fees shall be paid in accordance with Washoe County Ordinance prior to the release of the building permit.

- d. Approved plans shall be used for the construction of the public water improvements. CSDWR will be responsible to inspect the public water and sewer improvements.
- e. The developers' Engineer shall submit a plan or letter from the appropriate fire agency identifying the approved fire hydrant locations and indicating the fire flow and duration required for the project.
- f. No Certificates of Occupancy will be issued until "as-builts" have been approved.
- g. The domestic water meters and their associated backflow devices and the fire service backflow devices, shall be located at the site entrance.
- h. Existing easements and utility main(s) located on parcels are to be incorporated into all development plans.

Washoe County Health District – Mosquito/Vector Control

5. The following conditions are requirements of the Health District, which shall be responsible for determining compliance with these conditions.

Contact Name – J.L. Shaffer, 775.785.4599

- a. Any new private catch basins will require a water quality insert placed within all basins to improve water quality downstream and prevent mosquitoes from colonizing this infrastructure (040.013).
- b. The detention basin will require our standard design of a cobble rock lined low flow channel, one foot deep and 2-3 feet wide connecting the inlet(s) to the outlet pipe. In addition, we will required over excavating below the low flow channel with a lined infiltration trench 2 feet wide and 3 feet deep the length of the basin to reduce the downstream effects of storm water runoff (040.023). The following maintenance language shall be noted on the civil plans; "all vegetation, debris and blockages shall require removal in the low flow channel including one foot on either side of the channel on an annual basis. The maintenance will mitigate insect development by preventing standing water from ponding longer than 7 days (040.038).
- c. With storm water being discharged into the existing drainage channel, District Health will require 4-6 inch cobble rock in the flow line of the channel at a minimum of forth (40) feet (040.021).
- d. In order to minimize the concern for storm and nuisance water runoff, landscape containing turf will require an 18 inch water catchment area adjacent to impervious surfaces reducing nuisance water runoff into the infrastructure while minimizing downstream runoff (040.038).

- e. A wind sensor control unit will be required for the proposed landscape containing turf to assist in reducing the nuisance water runoff associated with irrigation (040.038).
- f. Prior to the sign off of the building plans the above detail designs are required on the plans and a scheduled compliance inspection is required for the above conditions.

*** End of Conditions ***

PROJECT INFORMATION

THE PROPERTY (APN: 152-921-01 & 02) CONTAINS 1.82± ACRES,
AND IS SITUATE IN THE SOUTHWEST 1/4 OF SECTION 24, T10N, R19E.
M.D.M.

79,156 square foot site will contain:

	square foot building areas (two buildings)	square feet landscaping/undisturbed
±12,000	(15%)	
±24,718	(31%)	
±12,438	(16%)	

±42.438 (54%) square foot access/parking/pedestrian facilities

PARKING: PER WC CODE, GC: 1 each per 1,000 square feet

Required parking: 60 spaces

PARKING PROVIDED: 60 SPACES, 3 OF WHICH ARE VAN ACCESSIBLE

**EXISTING ZONING: LOW DENSITY SUBURBAN (LDS)
PROPOSED ZONING: SAME**

MASTER PLAN DESIGNATION: SUBURBAN RESIDENTIAL (SR)

GAS SERVICE: NY ENERGY
WATER SERVICE: WASHINGTON

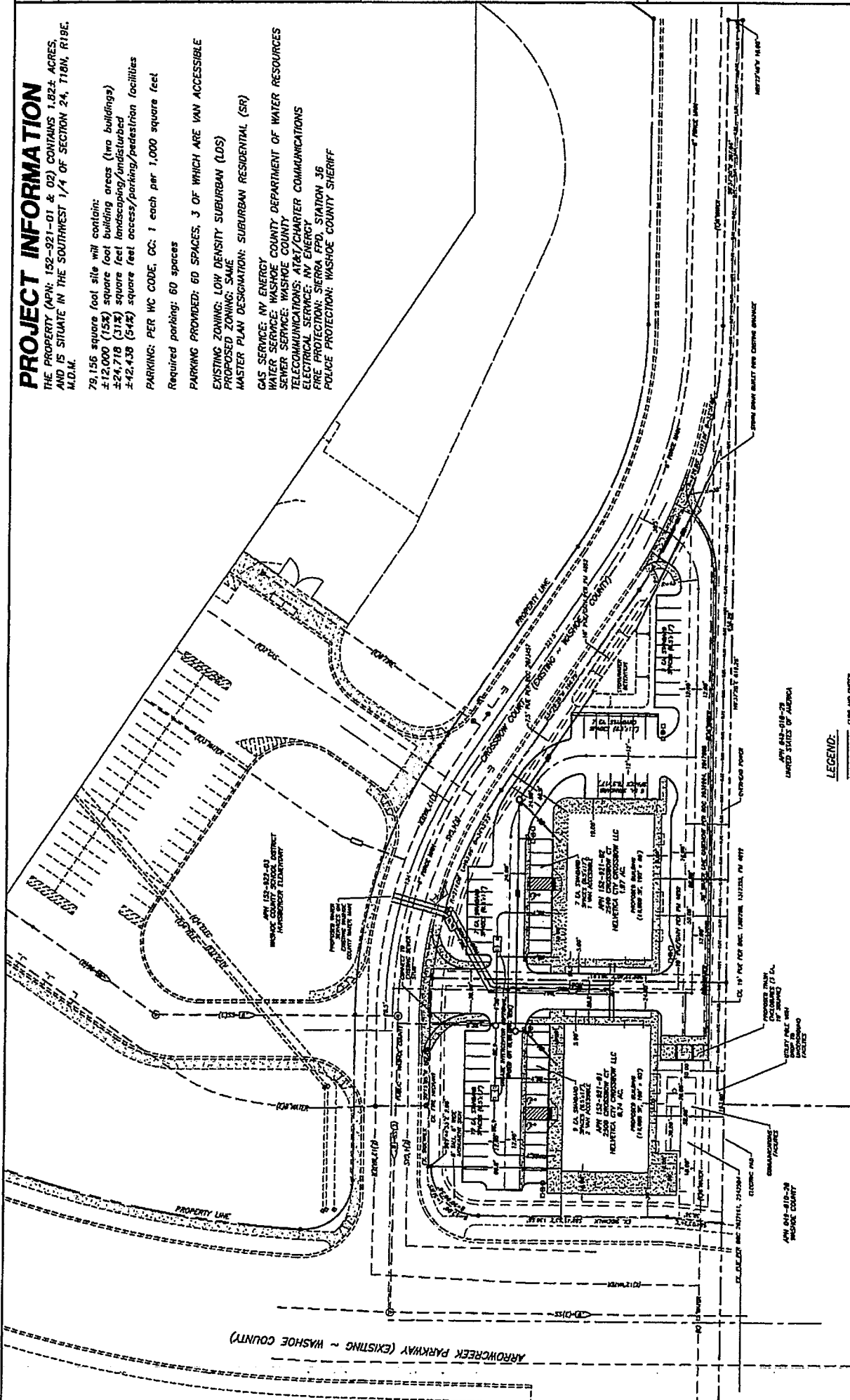
WATER SERVICE: WASHOE COUNTY DEPARTMENT OF WATER RESOURCES
SEWER SERVICE: WASHOE COUNTY


SEWER SERVICE: WASHOE COUNTY
TELECOMMUNICATIONS: AT&T/CHARTER COMMUNICATIONS

ELECTRICAL SERVICE: NV ENERGY

FIRE PROTECTION: SIERRA FPD, STATION 36

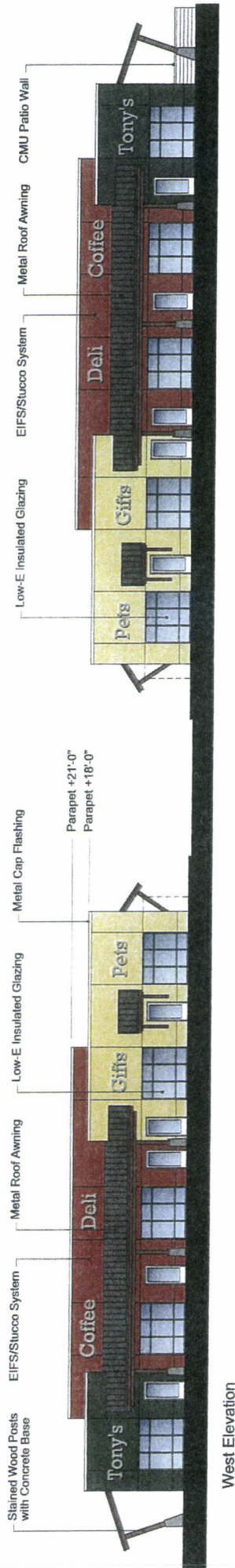
POLICE PROTECTION: WASHOE COUNTY SHERIFF



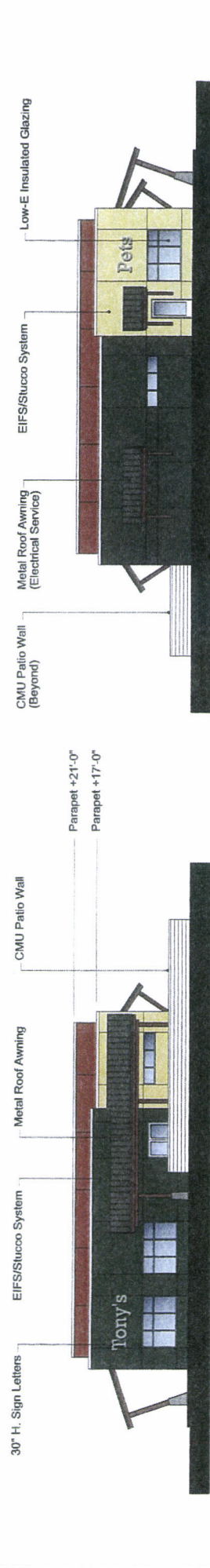
CARD NO. _____
 DATE OF ISSUE _____
 PORT CUBS _____
 3" FINE CONCRETE QUALITY SUPER
 P.C.G. CONCRETE

 SEE PHONE _____
 SPEC LIGHT - 25' POLE BARK SKY MIXER FULLY SIGNED

GRAPHIC SCALE:
(1/2 INCH)
1 inch = 25 ft.

SB14-013
EXHIBIT B

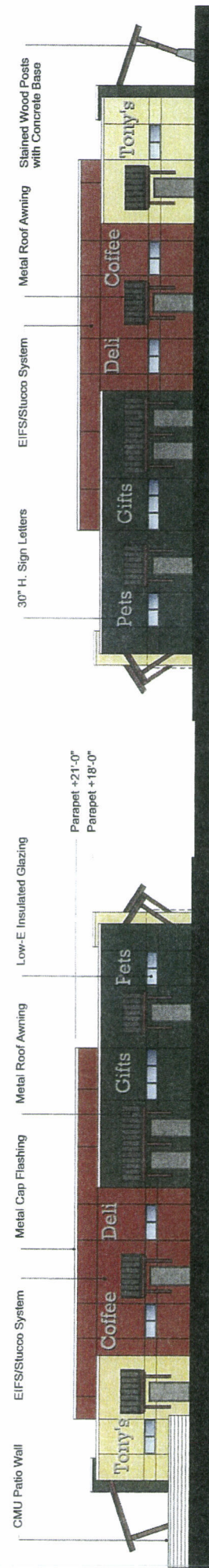


West Elevation



South Elevation

North Elevation

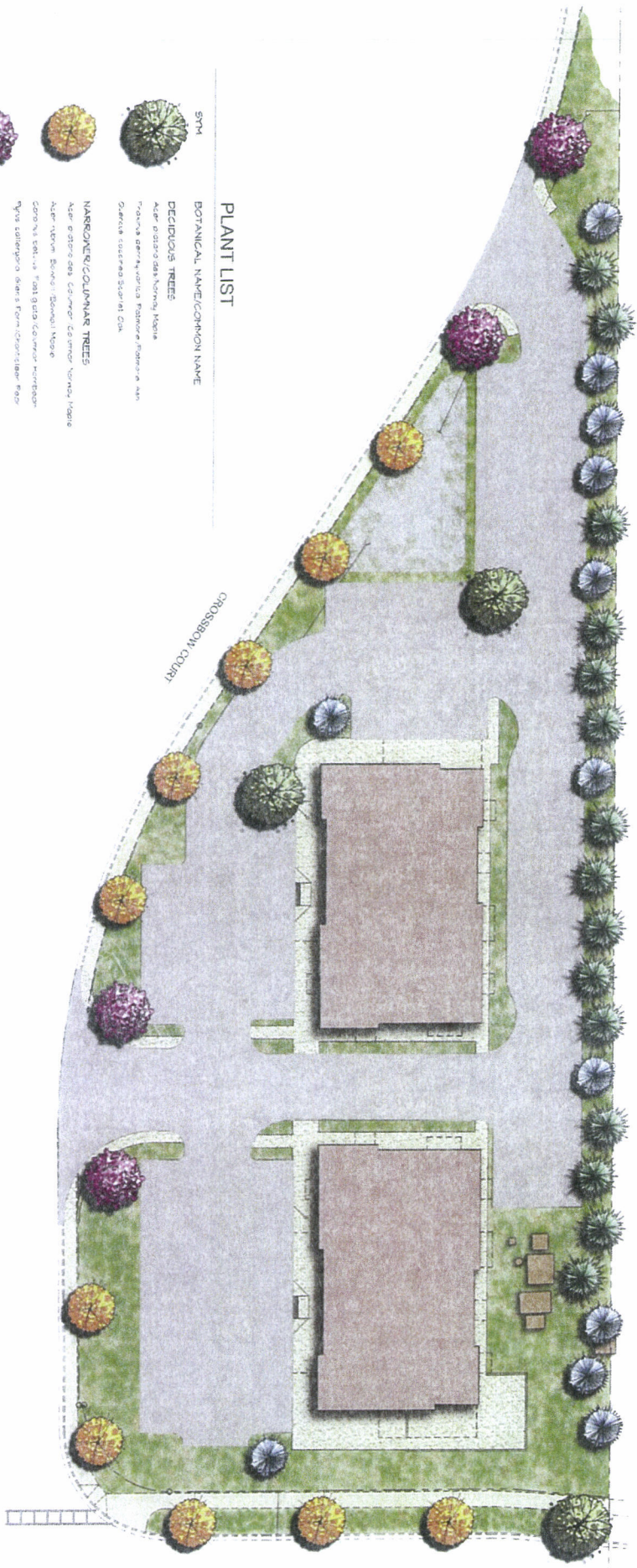


East Elevation



PLANT LIST

SYN	BOTANICAL NAME/COMMON NAME
	DECIDUOUS TREES
	Alder <i>Alnus incana</i> Native
	Fraxinus <i>Fraxinus pennsylvanica</i> Common
	Gleditsia <i>Gleditsia triacanthos</i> Common
	NARROW/ COLUMNAR TREES
	Aspen <i>Populus tremula</i> Common
	Aspen <i>Populus tremula</i> Common
	Aspen <i>Populus tremula</i> Common
	ACCENT TREES
	Yucca <i>Yucca filamentosa</i> Common
	EVERGREEN TREES
	Juniper <i>Juniperus horizontalis</i> Common
	NATIVE/ADAPTED PLANT PALETTE
	Aspen <i>Populus tremula</i> Common
	Aspen <i>Populus tremula</i> Common
	Aspen <i>Populus tremula</i> Common
	CRANFORD PLANT PALETTE
	Aspen <i>Populus tremula</i> Common
	Aspen <i>Populus tremula</i> Common
	Aspen <i>Populus tremula</i> Common



GENERAL NOTES

1. ALL PLANTING AND IRRIGATION SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:

2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:

3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:

4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:

5. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:

LANDSCAPE DATA

PROJECT AREA: 10,000 SQ. FT.

DESIGNER: LA Studio, LLC

DATE: 10/15/2014

SCALE: 1" = 20'

PROJECT LOCATION: 10000 SQ. FT.

PROJECT AREA: 10,000 SQ. FT.

DESIGNER: LA Studio, LLC

DATE: 10/15/2014

SCALE: 1" = 20'

PROJECT LOCATION: 10000 SQ. FT.

PROJECT AREA: 10,000 SQ. FT.

DESIGNER: LA Studio, LLC

DATE: 10/15/2014

SCALE: 1" = 20'

PROJECT LOCATION: 10000 SQ. FT.



Preliminary Landscape Plan
NEIGHBORHOOD CENTER
at Crossbow Corner

LA Studio
The Landscape Architecture Studio

1101 West Main Lane
Reno, NV 89505
(775) 323-2223
www.la-studio.com

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Project	1
Sheet	1

Crossbow Court

Neighborhood Commercial Center

Arrowcreek Parkway & Crossbow Court

Reno, Nevada

June 16, 2014

The prime location of this center being the entrance to the Arrowcreek Community in Washoe County, Nevada calls for extensive signage and lighting requirements to protect the scenic vistas in this area and help ensure a high quality commercial development that is an attraction for surrounding residents.

SIGN CRITERIA

The goal of this sign program is to insure the uniformity and consistency of the signage for the entire center. A copy of the sign construction drawings for each individual Tenant will be submitted to the Washoe County Planning staff for review and approval prior to issuance of sign permit.

The following criteria will preserve and enhance the appearance of the shopping center development, safeguard and enhance property values, and will encourage the use of quality signage which is integrated with and is harmonious to the buildings and site that it occupies.

A. GENERAL REQUIREMENTS

1. Tenant shall submit, before fabrication, three (3) copies of the proposed signs, including one (1) copy which is to be colored, to the Landlord for approval. These drawings must include total number, location, size and style of lettering, material, type of illumination, installation details (including a scaled elevation drawing, if required by Landlord), color selection, logo design, and wall graphics, and must be approved by Washoe County.
2. All permits for signs shall be obtained and paid for by Tenant. Tenant shall pay for all signs and their installation and maintenance.
3. Tenant shall be responsible for the fulfillment of all requirements and specifications, and all actions or negligence of tenant's sign contractor.
4. The size, location, design, color, texture, lighting and materials of these signs shall in no way detract from the design of the shopping center and the surrounding properties.

5. All signs, permits, drawings and related expenses to be at tenant's sole cost and expense.
6. TENANT'S SIGN(S) MUST FIT WITHIN BUILDING AREA(S) DETERMINED AND APPROVED BY LANDLORD AND SHALL BE COMPATIBLE WITH THE BUILDING ARCHITECTURE, WHICH MAY RESULT IN TENANT SIGNAGE THAT IS LESS OR DIFFERENT THAN OTHERWISE ALLOWED UNDER THIS SIGN CRITERIA. LANDLORD SHALL HAVE THE RIGHT TO DETERMINE SUCH FIT AND ARCHITECTURAL COMPATIBILITY IN LANDLORD'S SOLE AND ABSOLUTE DISCRETION.

B. RETAIL IN-LINE SHOP TENANTS

1. Each in-line shop tenant shall be permitted two (2) wall signs; one in front of the tenant space and one in the rear of the tenant space, as allowed by Washoe County. A corner tenant shall be permitted three (3) wall signs provided such signs are located on different sides of the building and as approved by Washoe County.

C. WALL SIGNS

The location of the building mounted letters shall be integrated into the architectural design of the building to reveal lines and other architectural elements. Colors shall be compatible with the building palette. Nationally recognized and trademarked corporate logos and colors can be used. All exterior building mounted letters shall have a maximum letter height of 30" and shall be designed to fit flush to the wall. Letters shall be individual metal pan channel with internal LED illumination, and all letters shall be mechanically fastened to the wall. Can signs are prohibited. A logo cabinet that is designed as a corporate logo in conjunction with individual letters is allowed.

D. FREESTANDING SIGNS

One (1) freestanding double faced sign is permitted at the intersection of Arrowcreek Parkway and Crossbow Court. The freestanding sign shall be architecturally compatible with the buildings within the center. Landlord may allocate the sign area dedicated to tenant copy and the name of shopping center at Landlord's discretion. Maximum height for freestanding signs shall be eight feet (8').

E. RESTRICTIONS (The provisions of this section shall apply to Major Tenants unless otherwise approved by Landlord in writing.)

1. Vertical copy or signs projecting perpendicular to the building are not permitted.

2. Logos or manufacturer's decals, hours of business, telephone numbers, etc., are limited to a total of 144 square inches per single door entrance. All "sale" signs, special announcements, etc. are not permitted on exterior of glass.
3. Advertising devices such as attraction boards, posters, banners and flags will not be permitted in, upon, or about the premises or elsewhere in the shopping center or sidewalks adjacent thereto.
4. Painted, flashing, animated, audible, revolving or other signs that create the illusion of animation are not permitted.
5. Exposed bulb signs are not permitted on or near storefront glass; however, landlord may at landlord's sole discretion approve a limited amount of exposed neon signage installed on interior of storefront.
6. No exposed junction boxes, lamps, tubing, conduits, raceways or neon crossovers of any type are permitted, unless approved in writing by the landlord.
7. There shall not be roof top signs, or signs which extend above the parapet wall of the roof-line of the building to which they are attached.

F. CONSTRUCTION REQUIREMENTS

1. Tenant is required to obtain from the Washoe County Building Department, any and all building and electrical permits.
2. Location of all openings for conduit in sign panels of building walls shall be indicated by the sign contractor on drawings submitted to the Landlord.
3. Each sign contractor must seal off and touch up all mounting holes and leave Premises free of debris after installation.
4. All signs must meet "U.L." specifications, and the installation must comply with requirements of the Washoe County Building Department.

G. MISCELLANEOUS REQUIREMENTS

1. Each tenant who has a non-customer door for receiving merchandise may have uniformly applied on said door in location, as directed by the Landlord, in three (3) inch high block letters, the tenant's name and address. Where more than one tenant uses the same door, each name and address shall be applied. Colors of letters shall match Ameritone #189A Dark Brown.

2. Contractors installing or repairing signs are to be state registered contractors and are to have a current city business license, if required.
3. Tenant shall have all exterior signage installed on the last to occur of: (a) thirty (30) days from the date landlord delivers possession of the premises to tenant, or (b) thirty (30) days from completion of the applicable building areas upon which tenant's sign(s) is/are to be installed.
4. Landlord shall cause tenant's signage to be removed and any damage repaired upon the expiration or earlier termination of the lease by a contractor of landlord's choice. Such work shall be done at tenant's sole expense and tenant shall reimburse landlord for same upon demand. In no event shall tenant remove or cause any under canopy sign(s) or bracket(s) to be removed at any time and same shall become the property of landlord upon the expiration or earlier termination of the lease.
5. Landlord reserves the right to waive or amend any of these provisions.

LIGHTING CRITERIA

A. GENERAL REQUIREMENTS

1. All lights, both building mounted and pole mounted must be Dark Sky certified and fully shielded to prevent light from being cast into the nighttime sky or onto neighboring properties. All lights must be architecturally compatible with the buildings within the center. Colors shall be compatible with the building palette.

B. WALL MOUNTED LIGHTS

1. Wall mounted lights shall have a powder coated finish in either Bronze or Black and shall have the same finish as the pole mounted lights. Maximum wattage shall be 175W. Lamps shall be Metal Halide, High Pressure Sodium, or Energy Efficient Lamps that have similar lighting qualities to Metal Halide or High Pressure Sodium.

C. POLE MOUNTED LIGHTS

1. Pole mounted lights shall have a powder coated finish in either Bronze or Black and shall have the same finish as the wall mounted lights. Maximum wattage shall be 250W. Lamps shall be Metal Halide, High Pressure Sodium, or Energy Efficient Lamps that have similar lighting qualities to Metal Halide or High Pressure Sodium. Maximum pole height shall be 25' above the base.

D. EMERGENCY EXITING LIGHTS

1. Emergency Exiting lighting shall comply with Washoe County code and the Uniform fire and building codes. Where possible, colors and architectural style shall match the building color palette and building architecture.



WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Engineering and Capital Projects Division

"Dedicated to Excellence in Public Service"

1001 East 9th Street PO Box 11130 Reno, Nevada 89520 Telephone: (775) 328-2040 Fax: (775) 328-3699

INTEROFFICE MEMORANDUM

DATE: July 09, 2014

TO: Sandra Monsalve, Planning and Development Division

FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division

SUBJECT: **SB14-013**
APN 152-921-01 and 02
CROSSBOW COURT NEIGHBORHOOR CENTER

I have reviewed the referenced special use permit and have the following conditions:

1. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
2. The applicant shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
3. The applicant shall complete and submit the Construction Permit Submittal Checklist, the Performance Standards Compliance Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
4. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to issuance of a grading permit.
5. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be re-vegetated. Methods and seed mix must be approved by the County Engineer with technical assistance from the Washoe-Storey Conservation District.
6. A hydrology/hydraulic report prepared by a registered engineer shall be submitted to the Engineering Division for review and approval. The report shall include the locations, points of entry and discharge, flow rates and flood limits of all 5- and 100-year storm flows impacting both the site and offsite areas and the methods for handling those flows. The report shall include all storm drain pipe and ditch sizing calculations and a



Washoe County
COMMUNITY SERVICES DEPARTMENT
Engineering and Capital Projects

June 26, 2014

To: Sandra Monsalve, AICP, Senior Planner, CSD Community Development

From: John Cella, Engineering Tech, CSD Water Resources

Subject: **SB14-013** Crossbow Court Neighborhood Center APN 152-921-01 / 02

The Department of Water Resources (DWR) has reviewed the subject application and has the following comments:

Application is to construct a +/- 12,000 sq ft Neighborhood Commercial Center comprised of (2) separate +/- 6,000 sq ft buildings on (2) contiguous parcels.

The Department of Water Resources (DWR) recommends approval with the following conditions:

1. Water rights dedications requirements shall be in accordance with Washoe County Article 422 of development code, all applicable ordinances, and the Southwest Truckee Meadows Area Plan. . Ground water rights in quantities approved by Washoe County CSD shall be dedicated to Washoe County prior to release of the building permit; and must be in good standing with the State Division of Water Resources and shall reflect the point of diversion, place of use, and manner of use satisfactory to CSD Water Resources.
2. Construction plans for the public water and sewer improvements shall be approved prior to release of the building permit. They shall be in compliance with CSDWR Design Standards, NAC 625 and NAC 445A.
3. All fees shall be paid in accordance with Washoe County Ordinance prior to the release of the building permit.
4. Approved plans shall be used for the construction of the public water improvements. CSDWR will be responsible to inspect the public water and sewer improvements.
5. The developers' Engineer shall submit a plan or letter from the appropriate fire agency identifying the approved fire hydrant locations and indicating the fire flow and duration required for the project.
6. No Certificates of Occupancy's will be issued until as-builts have been approved.
7. The domestic water meters and their associated backflow devices and the fire service backflow devices, shall be located at the site entrance.
8. Existing easements and utility main(s) located on parcels are to be incorporated into all development plans.

discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties

7. Any increase in storm water runoff resulting from the development shall be detained on site to the satisfaction of the County Engineer.
8. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures and rip rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the County Engineer.
9. The applicant shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the County Engineer.
10. The minimum pavement requirements for on-site paving shall be three inches (3") of asphalt over six inches (6") of granular base to the satisfaction of the County Engineer.
11. The applicant shall obtain a street excavation permit for the driveway approaches.
12. All improvements in the County right of way shall be constructed in accordance with County standards.
13. The southern driveway shall line up with the existing driveway or meet standard separation requirements.
14. The proposed sign at the corner of Crossbow and Arrowcreek Parkway shall not block sight distance on either Crossbow Court or Arrowcreek Parkway.
15. Existing sidewalk shall be perpetuated along the entire property frontage.

LRV/lrv

Monsalve, Sandra

From: English, James
Sent: Friday, July 11, 2014 11:47 AM
To: Monsalve, Sandra
Cc: English, James; 'graham@gmahydrology.com'
Subject: Washoe County Development Application #SB14-012 - West McCarran Restoration Project

July 11, 2014

The Washoe County Health District, Environmental Health Services Division, has reviewed the above referenced project. This agency has no comments, conditions or objections to the proposed project. Please contact me if you have any questions.

Regards,

James English, REHS, CP-FS
EHS Supervisor
Waste Management/Land Development Programs



Washoe County Health District

ENVIRONMENTAL HEALTH SERVICES DIVISION



Public Health
Prevent. Promote. Protect.

Washoe County
Community Development
C/O Sandra Monsalve
1001 E Ninth St.
Reno, NV 89512

July 7, 2014

Dear Sandy,

After having reviewed the special use permit request from Helvetica CTV Crossbow, LLC (SB14-013), please be advised of the following.

1. Any new private catch basins will require a water quality insert placed within all basins to improve water quality downstream and prevent mosquitoes from colonizing this infrastructure (040.013).
2. The detention basin will require our standard design of a cobble rock lined low flow channel, one foot deep and 2-3 feet wide connecting the inlet(s) to the outlet pipe. In addition, we will require over excavating below the low flow channel with a lined infiltration trench 2 feet wide and 3 feet deep the length of the basin to reduce the downstream effects of storm water runoff (040.023). The following maintenance language shall be noted on the civil plans; "all vegetation, debris and blockages shall require removal in the low flow channel including one foot on either side of the channel on an annual basis. The maintenance will mitigate insect development by preventing standing water from ponding longer than 7 days (040.038)."
3. With storm water being discharged into the existing drainage channel, District Health will require 4-6 inch cobble rock in the flow line of the channel at a minimum of forty (40) feet (040.021).
4. To minimize the concern for storm and nuisance water runoff, landscape containing turf will require an 18 inch water catchment area adjacent to impervious surfaces reducing nuisance water runoff into the infrastructure while minimizing downstream runoff (040.038).
5. A wind sensor control unit will be required for the proposed landscape containing turf to assist in reducing the nuisance water runoff associated with irrigation (040.038).
6. Prior to the sign off of the building plans the above detail designs are required on the plans and a scheduled compliance inspection is required for the above condition(s).

If there are any questions concerning the aforementioned vector-planning conditions as it relates to environmental health, please call us at 785-4599.

Sincerely,

J. L. Shaffer
Program Coordinator/Planner
Vector-Borne Diseases Program
Environmental Health Division



Washoe County School District

425 East Ninth Street * P.O. Box 30425 * Reno, NV 89520-3425

Phone (775) 348-0200 * (775) 348-0304 * www.washoecountyschools.org

Board of Trustees: Barbara Clark, President * Dave Aiazzi, Vice President * Lisa Ruggerio, Clerk
Estela Gutierrez * John Mayer * Barbara McLaury * Howard Rosenberg * Pedro Martinez, Superintendent

07 July 2014

Washoe County, Community Services
Planning & Zoning Division
Sandra L. Monsalve, AICP, Senior Planner

RE: SB14-013 (Crossbow Court Neighborhood Center)

Dear Sandy,

The Washoe County School District, including representatives from School Police, Transportation and Hunsberger Elementary School, have reviewed the proposed Crossbow Court Neighborhood Center. Primary issues from each of these departments involve traffic congestion, student safety, parking, and school zone speed limits. The following items are of specific concern:

- Students crossing Crossbow Court before and after school.
- Increased congestion during peak drop off and pick up times.
- Conflicts with the business owners and parents over parking.
- Arrowcreek Parkway is the only ingress/egress point for Hunsberger ES, Sage Ridge School and the surrounding commercially zoned properties.
- Traffic may be especially difficult during construction of the center.

District representatives have met with the developer's representative, Mr. Ken Krater, to discuss these issues and to formulate mitigation strategies. The District will work cooperatively with both the developer and Washoe County should this project be approved by the Board of Adjustment.

Thank you for the opportunity to comment.



Michael S. Boster

School Planner

Washoe County School District Capital Projects

14101 Old Virginia Road

Reno NV 89521

775.789.3810

mboster@washoeschools.net



South Truckee Meadows/Washoe Valley Citizen Advisory Board

MEMORANDUM

To: Sandra Monsalve, Staff Representative
From: Allayne Donnelly-Everett, Administrative Recorder
Re: Special Use Permit SB14-013 Crossbow Court Neighborhood Center
Date: July 23, 2014

Special Use Permit Case – SB14-013 (Crossbow Court Neighborhood Center) – Sandra Monsalve, Senior Planner, Planning and Development presented the request to construct a $\pm 12,000$ square foot Neighborhood Commercial Center comprised of two separate $\pm 6,000$ square foot buildings on two contiguous parcels, to be located at the northeast corner of Crossbow Court and ArrowCreek Parkway, APN 152-321-01 and 152-921-02 zoned Low Density Suburban (LDS) which is residential one dwelling per acre or limited commercial uses. This application will be reviewed by Agency Review and the agencies would consider what conditions of approval would be determined. Design Review would review the application for compatibility with the neighborhood. Ms. Monsalve reviewed several of the allowed uses as well as mitigation requirements under the current land use designation. Applicant/Property Owner, Helvetica CTV Crossbow, LLC, Attn. Chad Mestler or Dave Gash; Property Owner: Kenneth Krater, P.E. was available to address questions and concerns. Staff Representative; Sandra Monsalve, AICP, Senior Planner Community Services Planning and Development. 775.328.3608 E-mail: SMonsalve@washoecounty.us This proposed Special Use Permit will be heard by the Board of Adjustment on August 7, 2014. **MOTION:** Kathy Roberts moved to recommend denial of SB14-013 request for a commercial development of this type as inappropriate as presented. Brad Stanley seconded the motion. The motion carried with four in favor and two opposed.

Comments and Concerns

- In response to concerns raised, Ms. Monsalve stated that she must review public and agency comments as well as review the proposed application for compliance with the Development Code and Master Plan and consider whether the proposed application would be a significant detriment to the community which would be included in her report to the Board of Adjustment.
- In response to questions raised, Ms. Monsalve stated that she is not aware of this type of proposed application within any Home Owner's Association.
- In response to questions raised, Ms. Monsalve stated that conditions would address stormwater run off, water and sewer service from Washoe County and groundwater rights prior to issuance of the building permit for this proposed project.
- Patricia Phillips asked for confirmation of whether the adjacent BLM (Bureau of Land Management) property has plans for a public middle school. Ms. Monsalve stated that she would review possible plans for a school.
- Concerns were raised regarding negative impacts from commercial development adjacent to the school and for the safety of the children.
- Ken Krater introduced himself and described some plans for the proposed development. Mr. Krater stated that the idea is to provide some businesses that could be opened to serve the local community. Mr. Krater also discussed the options for vehicle access to Hunsberger Elementary School and his discussions with the Principal at Hunsberger Elementary School. Mr. Krater stated that they would have no on-street parking and looking at uses that are low impact. They do have access to Truckee River Water Rights.
- In response to questions raised, Mr. Krater stated that he has planned for five smaller units to encourage customers walking around the center and be more visually compatible with the residential neighborhood. Mr. Krater also stated that he encourages input from members of the community.
- In response to concerns raised, Mr. Krater stated that the lighting will be shielded downlighting and architecturally compatibility with the neighborhood.
- Julie Dunlap, ArrowCreek resident stated that this is a fabulous idea for a neighborhood center such as this and being able to walk to a community center would be great.
- Leona Kockenmeister, Saddlehorn resident stated concern regarding children walking on the path up ArrowCreek and cross over and stated that she worries about the lighting and stated that this would change the tenure of the area.
- Elizabeth Buckler, Saddlehorn resident stated concern that residents have no guarantee on what services or businesses would be in the center and whether they would be compatible with the community and also stated opposition to commercial development within the open space. Ms. Buckler added that the open space was the reason that many of 'us' moved up there.

- Mr. Krater stated that the property owner will develop their land and no one will be perfectly happy with any changes and recommended that residents work with the developer to mitigate negative impacts to the neighborhood.
- In response to questions raised by Howard Buckler, Mr. Krater stated that it is too early in the process to identify tenants and potential tenants will look at this project when there is a reasonable expectation as to when the development will be built and open. This won't be built until it is approximately seventy-five percent leased. Mr. Krater explained that the Special Use Permit must be approved for the project and then it will be subject to neighborhood commercial uses excluding any uses that are prohibited with conditions of approval.
- In response to questions raised, Mr. Krater stated that the types of businesses would be a range of ten to fifteen uses that would be make sense in a development like this.
- Concerns were raised by Jane Countryman regarding negative impacts from night lighting. Mr. Krater stated that the lighting will be just enough for safety and security. There is no need for lighting intended to attract people to the site. Ms. Monsalve stated that per code, the lighting can only be twelve feet high.
- Marilyn Parmalee asked if the road would remain a dead end street where traffic would have to turn around to exit the area. Mr. Krater identified the ingress and egress areas and stated that drivers would have to pass by the school.
- In response to questions raised by Donna Perez, Mr. Krater stated that tenants could lease additional spaces as needed, for instance a neighborhood restaurant.
- Ms. Monsalve stated that the Somersett Development has a town center which is convenient to walk to and support the local businesses.
- In response to concerns raised that Ms. Monsalve appears to promote this proposed project, Ms. Monsalve explained the planning process and reviewed the development code as it pertains to neighborhood centers.
- In response to questions raised, Mr. Krater stated that the developer would establish the CC&R's (Codes, Covenants and Restrictions) to protect the property and they could be amended at some future time by the property owner. The Architectural Committee would review the proposed project to determine compatibility.
- Bill Kockenmeister stated for the record that citizens should preview the neighborhood and see for themselves if a commercial center would be appropriate and compatible with the neighborhood. Mr. Kockenmeister stated that people purchased their homes in this neighborhood because there is no commercial development in that area.
- Leona Kockenmeister stated that development would negatively change the character of the area and also stated concern for the safety of children walking in the area.
- Chuck Parmalee, Saddlehorn resident stated concern regarding negative impacts from lighting, noise pollution and would interfere with the views.
- Marilyn Parmalee, Saddlehorn resident stated concern that patrons could be leaving businesses late in the evening and negatively impact local residents of ArrowCreek and Saddlehorn from late evening traffic. Daytime businesses would be more appropriate for the neighborhood.
- Donna Perez read her statement into the record. Ms. Perez included in her statement that this type of development was in Somersett and that development is currently sixty percent vacant. Ms Perez stated concern that retail businesses can not be sustained in this area.
- John Krisch stated his opposition to the proposed project stating that the demographics are not sufficient to sustain the businesses and the abandoned buildings will be a disgrace to the area.
- Howard Buckler stated that it makes no sense to drop in a commercial sector into a residential area. Most of the residents would drive to destinations of their choice rather than walk to a local business. Mr. Buckler added that he doubts that the property owners would consent to a limited list of potential uses. Mr. Buckler does not see that a two or three minute (inaudible) as a reason to destroy the residential integrity of that area.
- Terri Thomas, Hidden Valley resident stated that when you introduce commercial development into a residential environment that it is not conducive to maintaining the character of the community.
- In response to questions raised, Mr. Krater stated that the property was purchased five or six months ago and the owner is convinced that commercial use is the highest and best use of this property.
- Tom Judy stated that appropriate conditions need to be stipulated in order to address community opposition. Mr. Judy also stated that the owner would have to comply with conditions of approval of the Special Use Permit. Ms. Monsalve stated that the conditions of approval would have to be reasonable. There are five findings of fact that have to be made to approve a development project.
- Jim Rummings stated that measures need to be in place to protect the residential neighborhood against vacancies of the businesses. A convalescent care facility would be a long term tenant. Ms. Monsalve stated that she would contact legal council to address what conditions could be placed on special use permits.
- Brad Stanley asked if the special use permit is appropriate for a neighborhood commercial use. Ms. Monsalve stated that the national classification system identifies levels of impacts of uses. Mr. Stanley asked that a traffic study be conducted on the proposed project.
- Concerns were raised that a long term lease means nothing if the tenant goes out of business.
- Tom Judy stated that without a finding that this needs to be denied, that the recommendation would not carry any weight with the Board of Adjustment.

- Eric Scheetz stated concern that the developer could go to the City of Reno and request annexation and the recommendations from the community and CAB would be ignored. Mr. Scheetz stated that he does not see a convalescence facility next to an elementary school but a day care could be appropriate.
- Ms. Monsalve urged citizens to research this type of development to find examples that validate the concerns and recommendations of the residents and bring them forward to the Board of Adjustment hearing.
- Patricia Phillips urged members of the audience to attend the Board of Adjustment and state their opinions as well as submit written comments to Ms. Monsalve to be included in the Staff Report and to make those comments constructive and not of a critical nature.

cc: Commissioner David Humke
Patricia Phillips, Chair
Sarah Tone, Constituent Services
Al Rogers, Director of Constituent Services
Andrea Tavener, Constituent Services

Monsalve, Sandra

From: Becky Manoukian [becky@manoukians.com]
Sent: Sunday, July 20, 2014 8:59 PM
To: Monsalve, Sandra
Subject: Arrowcreek and Mt. Rose Highway

Hello,

I am a resident of Saddlehorn and would welcome a small tasteful neighborhood development that included a coffee shop, café, exercise studio, etc. It would be great to have services within walking distance.

Thanks, Becky Manoukian

Monsalve, Sandra

From: Julie Dunlap [mjdunlap@sbcglobal.net]
Sent: Tuesday, July 15, 2014 8:46 PM
To: Monsalve, Sandra
Subject: Arrowcreek development

Sandy,

I would like to offer my support of a future neighborhood development on the corner of Arrowcreek Parkway and Crossbow Court. I have lived in Arrowcreek for the past six years and would support the kind of development that Ken Krater is proposing for that location. I love the idea of having a coffee shop, small restaurant or possible yoga or pilates studio (or similar type businesses) in that location. I don't think this would in any way be a negative to our neighborhood. Should you have any additional questions for me please don't hesitate to contact me.

Thank you,

Julie Dunlap
mjdunlap@sbcglobal.net

CROSSBOW COURT SPECIAL USE PERMIT APPLICATION

CROSSBOW COURT AND ARROWCREEK PARKWAY

A NEIGHBORHOOD COMMERCIAL CENTER

Low-E Insulated Glazing

EIFS/Stucco System

Metal Roof Awning

CMU Patio Wall



SUBMITTED JUNE 16, 2014

Application for a Special Use Permit

For

Crossbow Court Neighborhood Commercial Center

Prepared For:

Helvetica CTV Crossbow, LLC

5927 Balfour Court, Suite 208
Carlsbad, CA 92008-7377

Prepared By:

K KRATER CONSULTING

A Nevada professional corporation
901 Dartmouth Drive
Reno, Nevada 89509
(775) 815-9561

June 16, 2014

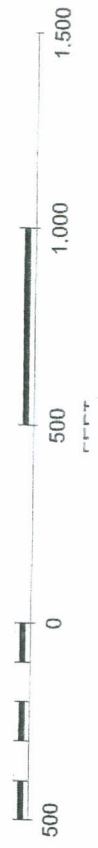
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Crossbow Neighborhood Center - Aerial Photo



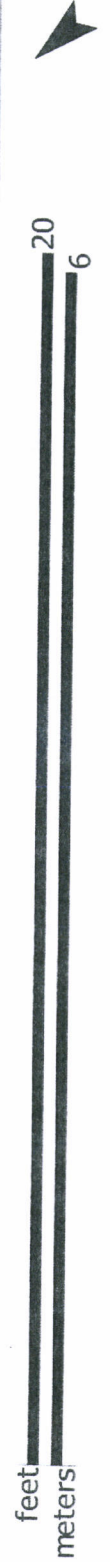
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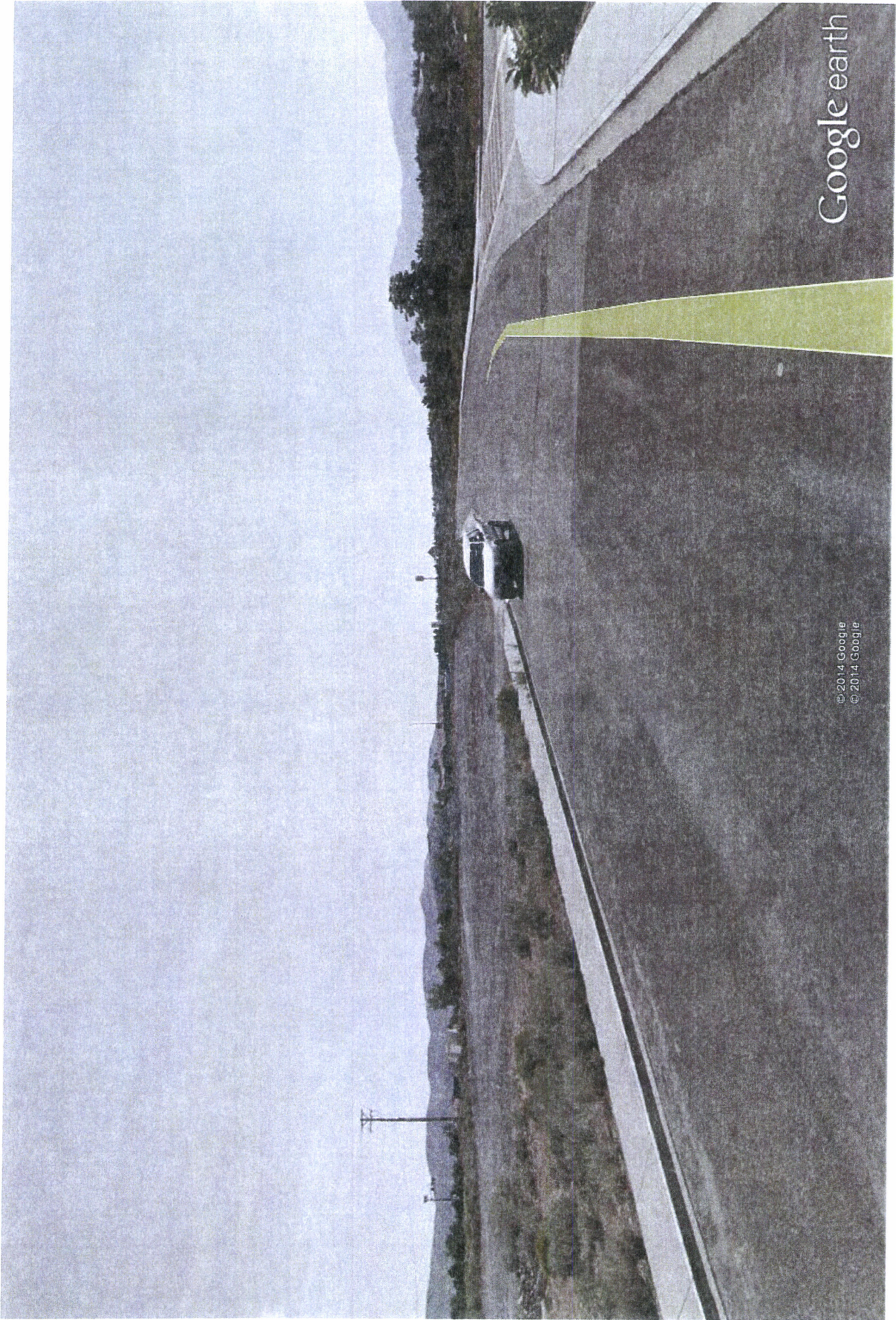
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SB14-013



SB14-013



Google earth

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SB14-013

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Development staff at 775.328.3600.

Project Information		Staff Assigned Case No.: _____	
Project Name: Crossbow Neighborhood Commercial			
Project Description: Plans call for the construction of a new 12,000 square foot neighborhood Commercial Center on two parcels equaling 1.82 acres located on Arrowcreek & Crossbow. A special use permit is required for the commercial center as the property is zoned LDS.			
Project Address: 2500 and 2540 Crossbow Court, Reno			
Project Area (acres or square feet): 79,160 sq. ft. or 1.82 acres			
Project Location (with point of reference to major cross streets AND area locator): Northeast corner of Arrowcreek Parkway & Crossbow Court			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
152-921-01	0.74	152-921-02	1.07
Section(s)/Township/Range: PORTION OF SW 1/4 SECTION 24 T18N - R19E			
Indicate any previous Washoe County approvals associated with this application: Case No.(s). N/A			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Helvetica CTV Crossbow, LLC		Name: Kenneth Krater, P.E.	
Address: 5927 Balfour Court, Suite 208		Address: 901 Dartmouth Drive	
Carlsbad, CA	Zip: 92008-7377	Reno, Nevada	Zip: 89509
Phone: (310) 575-3301	Fax: 310-496-0498	Phone: 775-815-9561	Fax: 775-786-2702
Email: cmestler@helveticagroup.com		Email: kkrater@nvcbell.net	
Cell:	Other:	Cell: 775-815-9561	Other:
Contact Person: Chad Mestler		Contact Person: Ken Krater	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Helvetica CTV Crossbow, LLC		Name:	
Address: 5927 Balfour Court, Suite 208		Address:	
Carlsbad, CA	Zip: 92008-7377		Zip:
Phone: (858) 509-3496	Fax:	Phone:	Fax:
Email: dgash@capitalvantagerei.com		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Dave Gash		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Special Use Permit Application Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to special use permits may be found in Article 810, Special Use Permits.

1. What is the type of project being requested?

A 12,000 sq. ft. Neighborhood Commercial Center (No Drive Through) with two separate 6,000 sq. ft. buildings.

2. What currently developed portions of the property or existing structures are going to be used with this permit?

N/A - Vacant Land

3. What improvements (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.) will have to be constructed or installed and what is the projected time frame for the completion of each?

Improvements will include connection to existing water and sanitary sewer systems, development of a storm drain system, parking lots, lighting, landscaping, fencing, and construction of a monument sign at the intersection of Arrowcreek Parkway and Crossbow. Note that this parcel is located at the NE corner of the intersection of Arrowcreek Parkway and Crossbow Court. Construction should take approximately 4 to 6 months.

4. What is the intended phasing schedule for the construction and completion of the project?

The site infrastructure will be completed as a single phase and the buildings will be completed in either a single phase or two phases (one building at a time) depending on the level of pre-leasing activity.

5. What physical characteristics of your location and/or premises are especially suited to deal with the impacts and the intensity of your proposed use?

The parcel is in a developed area with direct access to an arterial street and all utilities. A 12,000 sq. ft. Neighborhood Commercial Center will be a low impact use with nominal traffic volumes (see trip generation information). Significant landscaping will help screen the project from adjoining homes including an existing median on Arrowcreek Parkway, a landscape parkway on Arrowcreek Parkway and site landscaping. The nearest home is 350 feet away from the property. The commercial center is across from Hunsberger Elementary School. However, the commercial center will be over 450' minimum away from the actual school and will have different peak hours than the school (along with Sage Ridge School further north on Crossbow).

6. What are the anticipated beneficial aspects or effects your project will have on adjacent properties and the community?

A small neighborhood shopping center will provide retail and commercial services for nearby residents without having to travel an extra three miles to retail centers on S. Virginia Street and Damonte Ranch Parkway or the Mt. Rose Highway and Wedge Parkway. The center will provide a convenient dining and shopping location for Hunsberger School and Sage Ridge School parents and faculty. This small 12,000 sq. ft. neighborhood center will truly serve local residents. Splitting the center into two buildings will reduce the impact of the project and make it more pedestrian friendly.

7. What will you do to minimize the anticipated negative impacts or effects your project will have on adjacent properties?

Good site design, landscaping, access and site circulation; attractive and vibrant architecture that ties in with the new fire station and makes it clear the the buildings are commercial in nature. Business hours for restaurants will be limited to 6:00 am to 10:00 pm Monday through Thursday, 6:00 am to 12:00 pm Friday and Saturday, and 8:00 am to 10:00 pm on Sunday. All other shops will have business hours from 8:00 am to 10:00 pm seven days a week. Loading areas are on the east side of the buildings and screened from residential uses. Adequate trash and recycle enclosures are provided, also located on the east side of the buildings.

8. Please describe operational parameters and/or voluntary conditions of approval to be imposed on the project special use permit to address community impacts:

Hours of operation as noted above (Business hours for restaurants will be limited to 6:00 am to 10:00 pm Monday through Thursday, 6:00 am to 12:00 pm Friday and Saturday, and 8:00 am to 10:00 pm on Sunday. All other shops will have business hours from 8:00 am to 10:00 pm seven days a week). No drive through businesses allowed. No Truck Idling signs will be placed adjacent to the loading area per Health Dept. regulations and to reduce noise. No taverns will be allowed.

9. How many improved parking spaces, both on-site and off-site, are available or will be provided? (Please indicate on site plan.)

Code requires 60 parking spaces. 57 regular parking spaces are provided along with three van accessible spaces for 60 spaces total. All parking spaces are on site.

10. What types of landscaping (e.g. shrubs, trees, fencing, painting scheme, etc.) are proposed? (Please indicate location on site plan.)

Landscaping that meets county code will be residential in nature for a desert landscape environment with minimal turf, deciduous and evergreen trees, shrubs, perennials, and ground cover. Only turf will use overhead irrigation. All other landscape areas will use drip irrigation. A separate landscape plan is attached as part of this application.

11. What type of signs and lighting will be provided? On a separate sheet, show a depiction (height, width, construction materials, colors, illumination methods, lighting intensity, base landscaping, etc.) of each sign and the typical lighting standards. (Please indicate location of signs and lights on site plan.)

Wall Signs - Building signs will have a maximum letter height of 30" and colors shall be compatible with the building palette. Nationally recognized and trademarked corporate logos and colors can be used. Letters shall be individually channelized with internal LED illumination. Can signs are prohibited. Monument sign - An 8' tall monument sign meeting county code requirements will be placed at the SW corner of the site. Lights - all lights will be dark sky certified and fully shielded. See attached signage and lighting information.

12. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the special use permit request? (If so, please attach a copy.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

13. Community Sewer

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
---	-----------------------------

Community Water

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
---	-----------------------------

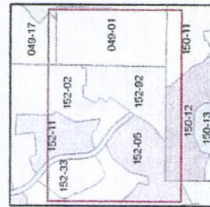
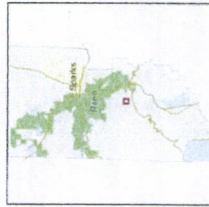
PORTION OF SW 1/4 SECTION 24 T18N - R19E

Assessor's Map Number
152-92

STATE OF NEVADA
WASHOE COUNTY
ASSESSOR'S OFFICE
Joshua G. Wilson, Assessor
1001 East Ninth Street
Reno, Nevada 89512
(775) 335-2231



0 75 150 225 300
Feet
1 inch = 300 feet

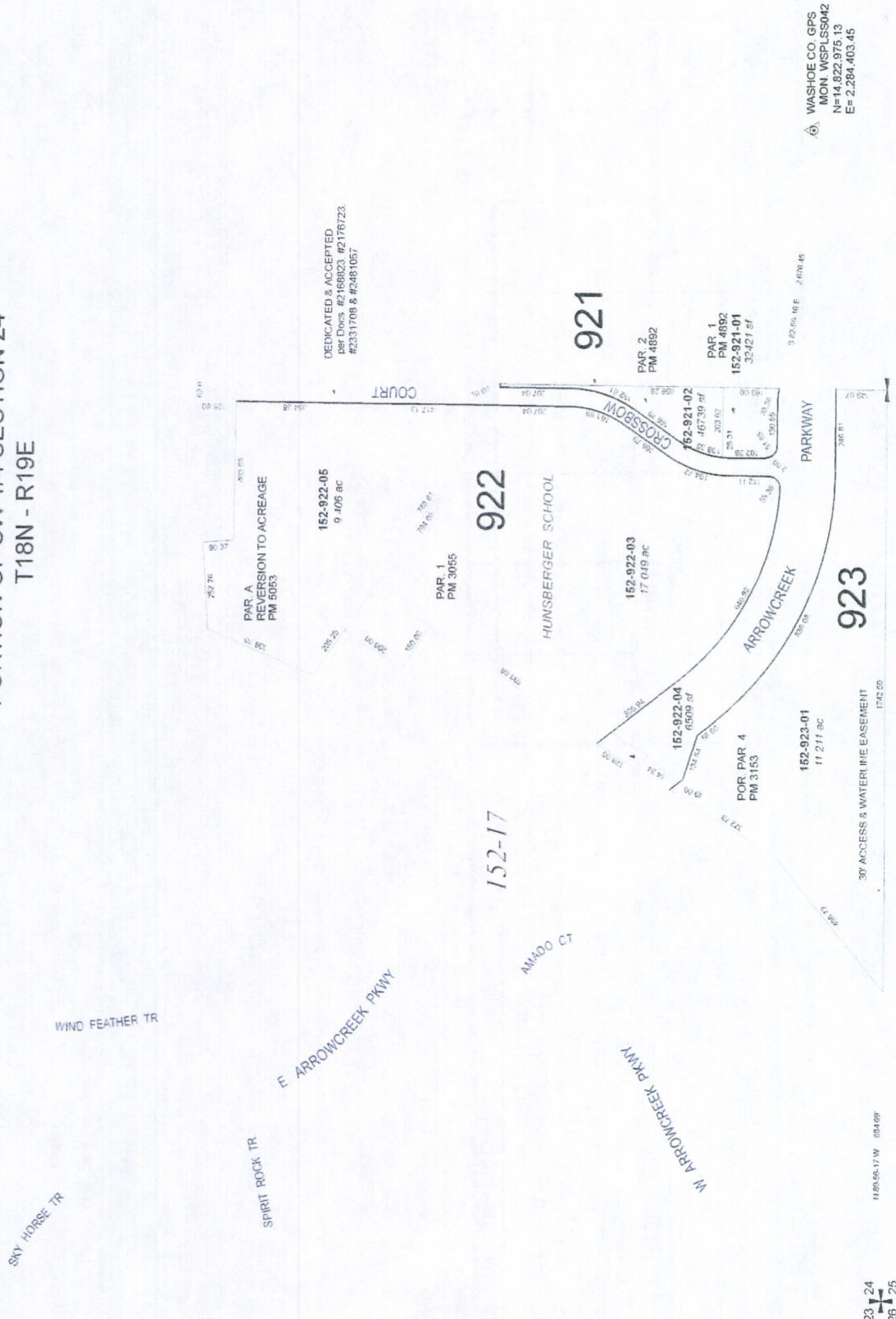


created by **KSB 10/20/11**
last updated

area previously shown on maps
152-02

NOTE: This map was prepared for the use of the Washoe County Assessor's Office and is not a survey of the premises. It does not represent an opinion of the Assessor's Office as to the sufficiency or accuracy of the data furnished hereon.

SB14-013



Estimated Trip Generation

WEST MEADOWS ESTATES														
Quantity		Type	ADT			AM Peak			PM Peak					
			Rate	Volume		Rate	Volume	Enter	Exit	Rate	Volume	Enter	Exit	
1.	ITE Land Use Code 820 for Retail	12.000	Sq. Ft.	42.94	515		1.03	12	8	5	3.75	45	22	23
	(000's)								61%	39%			48%	52%
Total Driveway Trips					515			12	8	5		45	22	23
Pass By Reduction Factor for Commercial			72%									-32	-16	-17
{Ln(T) = -1.29 X Ln(T) + 5.00}														
{T = 000's of sq. ft. of commercial}														
Total New Trips												13	6	7

PROJECT TRIP GENERATION

PROJECT INFORMATION

THE PROPERTY (APN: 152-921-01 & 02) CONTAINS 1.82+ ACRES, AND IS SITUATE IN THE SOUTHWEST 1/4 OF SECTION 24, T18N, R19E, M.D.M.

79,156 square foot site will contain:
 ±12,000 (15%) square foot building areas (two buildings)
 ±24,718 (31%) square foot landscaping/undisturbed
 ±42,438 (54%) square foot access/parking/pedestrian facilities

PARKING: PER WC CODE, CC: 1 each per 1,000 square foot

Required parking: 60 spaces

PARKING PROVIDED: 60 SPACES, 3 OF WHICH ARE VAN ACCESSIBLE

EXISTING ZONING: LOW DENSITY SUBURBAN (LDS)

PROPOSED ZONING: SAME

MASTER PLAN DESIGNATION: SUBURBAN RESIDENTIAL (SR)

GAS SERVICE: NV ENERGY

WATER SERVICE: WASHOE COUNTY DEPARTMENT OF WATER RESOURCES

SEWER SERVICE: WASHOE COUNTY

TELECOMMUNICATIONS: AT&T/CHARTER COMMUNICATIONS

ELECTRICAL SERVICE: NV ENERGY

FIRE PROTECTION: SIERRA FPD, STATION 36

POLICE PROTECTION: WASHOE COUNTY SHERIFF

CROSSBOW COURT NEIGHBORHOOD COMMERCIAL CENTER
 SPECIAL USE PERMIT
 SITE PLAN
 WASHOE COUNTY
 NEVADA

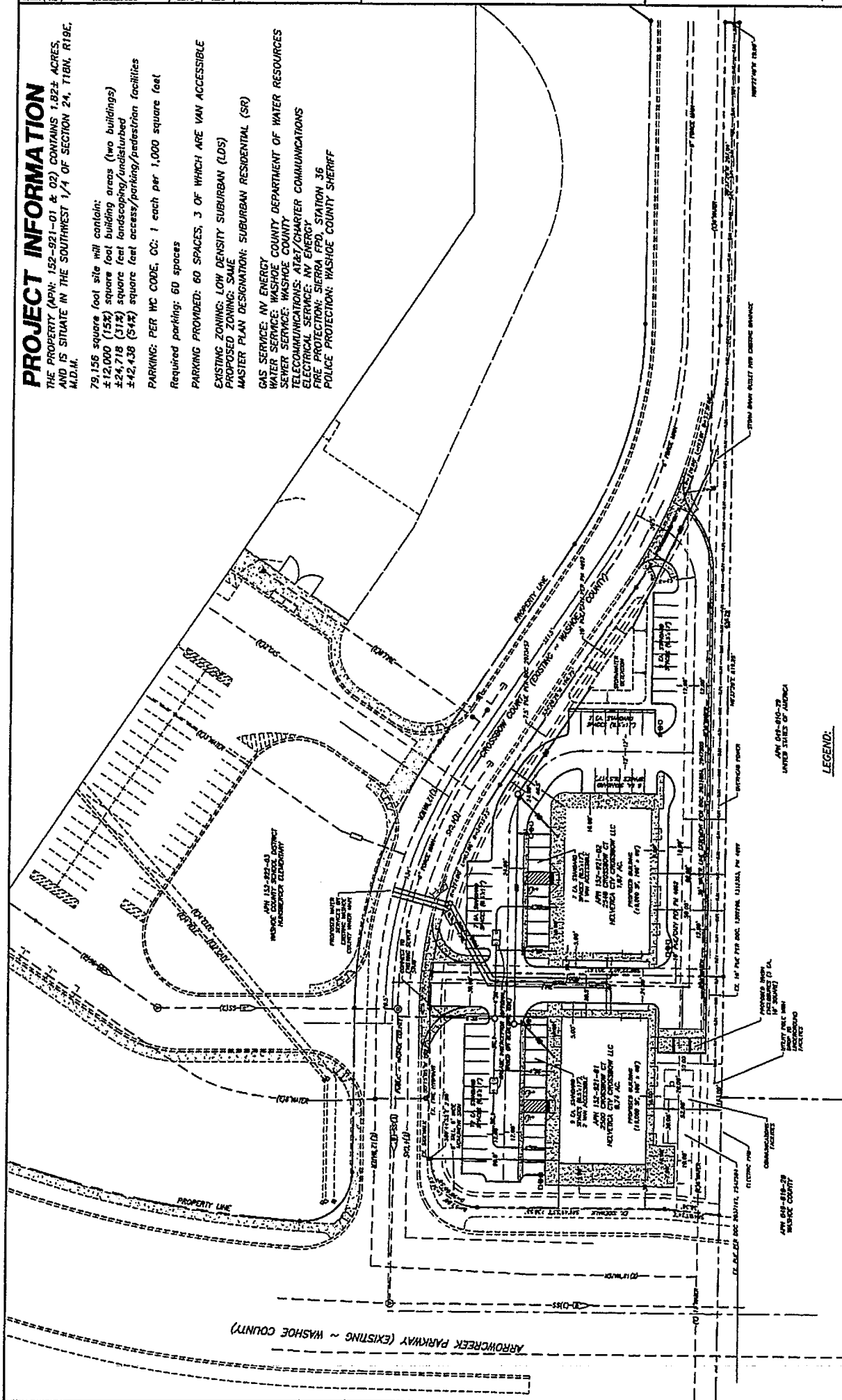
dysssey
 INCORPORATED
 1700 34th Street, Suite 104, Sparks, NV 89411
 (775) 344-3000 FAX (775) 344-1223

SCALE
 HORIZONTAL: 1" = 50'
 VERTICAL: 1" = 10'
 SHEET
 S-1
 2



SPECIAL USE PERMIT 01/20/16
 PLANNING APPROVED/COMMISSIONER: DAN SELLER

SB14-013



LEGEND:

- CAMP AND GUTTER
- PAVED DRIVE
- 7' FILL CONCRETE MULEY DRIVE
- 7' FILL CONCRETE
- AC PAVES
- DO/D
- SEE (NOT - 31' FILL DRIVE 30' INLET FULL PAVED)



EXHIBIT

EXHIBIT A

Crossbow Court

Neighborhood Commercial Center

Arrowcreek Parkway & Crossbow Court

Reno, Nevada

June 16, 2014

The prime location of this center being the entrance to the Arrowcreek Community in Washoe County, Nevada calls for extensive signage and lighting requirements to protect the scenic vistas in this area and help ensure a high quality commercial development that is an attraction for surrounding residents.

SIGN CRITERIA

The goal of this sign program is to insure the uniformity and consistency of the signage for the entire center. A copy of the sign construction drawings for each individual Tenant will be submitted to the Washoe County Planning staff for review and approval prior to issuance of sign permit.

The following criteria will preserve and enhance the appearance of the shopping center development, safeguard and enhance property values, and will encourage the use of quality signage which is integrated with and is harmonious to the buildings and site that it occupies.

A. GENERAL REQUIREMENTS

1. Tenant shall submit, before fabrication, three (3) copies of the proposed signs, including one (1) copy which is to be colored, to the Landlord for approval. These drawings must include total number, location, size and style of lettering, material, type of illumination, installation details (including a scaled elevation drawing, if required by Landlord), color selection, logo design, and wall graphics, and must be approved by Washoe County.
2. All permits for signs shall be obtained and paid for by Tenant. Tenant shall pay for all signs and their installation and maintenance.
3. Tenant shall be responsible for the fulfillment of all requirements and specifications, and all actions or negligence of tenant's sign contractor.
4. The size, location, design, color, texture, lighting and materials of these signs shall in no way detract from the design of the shopping center and the surrounding properties.

5. All signs, permits, drawings and related expenses to be at tenant's sole cost and expense.
6. TENANT'S SIGN(S) MUST FIT WITHIN BUILDING AREA(S) DETERMINED AND APPROVED BY LANDLORD AND SHALL BE COMPATIBLE WITH THE BUILDING ARCHITECTURE, WHICH MAY RESULT IN TENANT SIGNAGE THAT IS LESS OR DIFFERENT THAN OTHERWISE ALLOWED UNDER THIS SIGN CRITERIA. LANDLORD SHALL HAVE THE RIGHT TO DETERMINE SUCH FIT AND ARCHITECTURAL COMPATIBILITY IN LANDLORD'S SOLE AND ABSOLUTE DISCRETION.

B. RETAIL IN-LINE SHOP TENANTS

1. Each in-line shop tenant shall be permitted two (2) wall signs; one in front of the tenant space and one in the rear of the tenant space, as allowed by Washoe County. A corner tenant shall be permitted three (3) wall signs provided such signs are located on different sides of the building and as approved by Washoe County.

C. WALL SIGNS

The location of the building mounted letters shall be integrated into the architectural design of the building to reveal lines and other architectural elements. Colors shall be compatible with the building palette. Nationally recognized and trademarked corporate logos and colors can be used. All exterior building mounted letters shall have a maximum letter height of 30" and shall be designed to fit flush to the wall. Letters shall be individual metal pan channel with internal LED illumination, and all letters shall be mechanically fastened to the wall. Can signs are prohibited. A logo cabinet that is designed as a corporate logo in conjunction with individual letters is allowed.

D. FREESTANDING SIGNS

One (1) freestanding double faced sign is permitted at the intersection of Arrowcreek Parkway and Crossbow Court. The freestanding sign shall be architecturally compatible with the buildings within the center. Landlord may allocate the sign area dedicated to tenant copy and the name of shopping center at Landlord's discretion. Maximum height for freestanding signs shall be eight feet (8').

E. RESTRICTIONS (The provisions of this section shall apply to Major Tenants unless otherwise approved by Landlord in writing.)

1. Vertical copy or signs projecting perpendicular to the building are not permitted.

2. Logos or manufacturer's decals, hours of business, telephone numbers, etc., are limited to a total of 144 square inches per single door entrance. All "sale" signs, special announcements, etc. are not permitted on exterior of glass.
3. Advertising devices such as attraction boards, posters, banners and flags will not be permitted in, upon, or about the premises or elsewhere in the shopping center or sidewalks adjacent thereto.
4. Painted, flashing, animated, audible, revolving or other signs that create the illusion of animation are not permitted.
5. Exposed bulb signs are not permitted on or near storefront glass; however, landlord may at landlord's sole discretion approve a limited amount of exposed neon signage installed on interior of storefront.
6. No exposed junction boxes, lamps, tubing, conduits, raceways or neon crossovers of any type are permitted, unless approved in writing by the landlord.
7. There shall not be roof top signs, or signs which extend above the parapet wall of the roof-line of the building to which they are attached.

F. CONSTRUCTION REQUIREMENTS

1. Tenant is required to obtain from the Washoe County Building Department, any and all building and electrical permits.
2. Location of all openings for conduit in sign panels of building walls shall be indicated by the sign contractor on drawings submitted to the Landlord.
3. Each sign contractor must seal off and touch up all mounting holes and leave Premises free of debris after installation.
4. All signs must meet "U.L." specifications, and the installation must comply with requirements of the Washoe County Building Department.

G. MISCELLANEOUS REQUIREMENTS

1. Each tenant who has a non-customer door for receiving merchandise may have uniformly applied on said door in location, as directed by the Landlord, in three (3) inch high block letters, the tenant's name and address. Where more than one tenant uses the same door, each name and address shall be applied. Colors of letters shall match Ameritone #189A Dark Brown.

2. Contractors installing or repairing signs are to be state registered contractors and are to have a current city business license, if required.
3. Tenant shall have all exterior signage installed on the last to occur of: (a) thirty (30) days from the date landlord delivers possession of the premises to tenant, or (b) thirty (30) days from completion of the applicable building areas upon which tenant's sign(s) is/are to be installed.
4. Landlord shall cause tenant's signage to be removed and any damage repaired upon the expiration or earlier termination of the lease by a contractor of landlord's choice. Such work shall be done at tenant's sole expense and tenant shall reimburse landlord for same upon demand. In no event shall tenant remove or cause any under canopy sign(s) or bracket(s) to be removed at any time and same shall become the property of landlord upon the expiration or earlier termination of the lease.
5. Landlord reserves the right to waive or amend any of these provisions.

LIGHTING CRITERIA

A. GENERAL REQUIREMENTS

1. All lights, both building mounted and pole mounted must be Dark Sky certified and fully shielded to prevent light from being cast into the nighttime sky or onto neighboring properties. All lights must be architecturally compatible with the buildings within the center. Colors shall be compatible with the building palette.

B. WALL MOUNTED LIGHTS

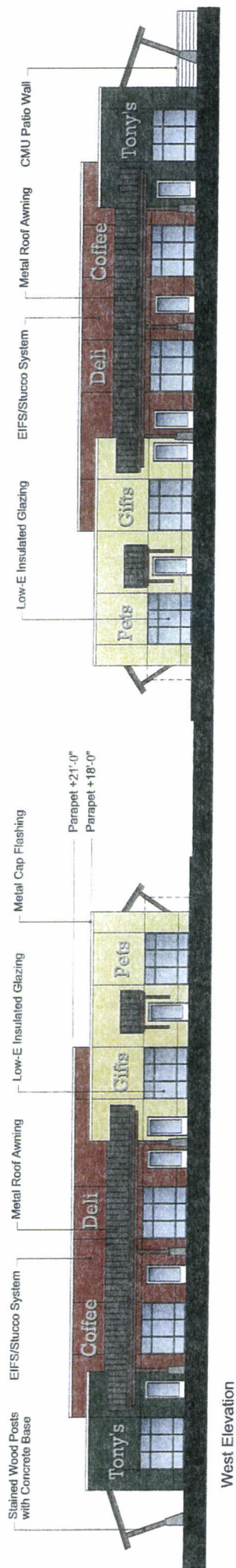
1. Wall mounted lights shall have a powder coated finish in either Bronze or Black and shall have the same finish as the pole mounted lights. Maximum wattage shall be 175W. Lamps shall be Metal Halide, High Pressure Sodium, or Energy Efficient Lamps that have similar lighting qualities to Metal Halide or High Pressure Sodium.

C. POLE MOUNTED LIGHTS

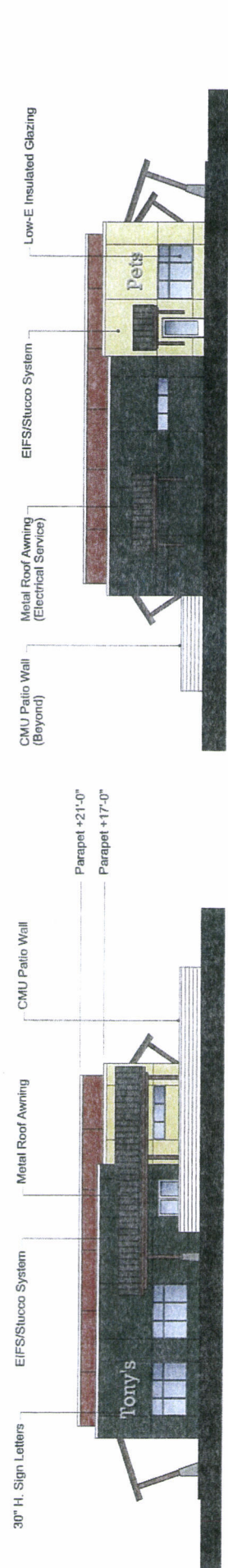
1. Pole mounted lights shall have a powder coated finish in either Bronze or Black and shall have the same finish as the wall mounted lights. Maximum wattage shall be 250W. Lamps shall be Metal Halide, High Pressure Sodium, or Energy Efficient Lamps that have similar lighting qualities to Metal Halide or High Pressure Sodium. Maximum pole height shall be 25' above the base.

D. EMERGENCY EXITING LIGHTS

1. Emergency Exiting lighting shall comply with Washoe County code and the Uniform fire and building codes. Where possible, colors and architectural style shall match the building color palette and building architecture.

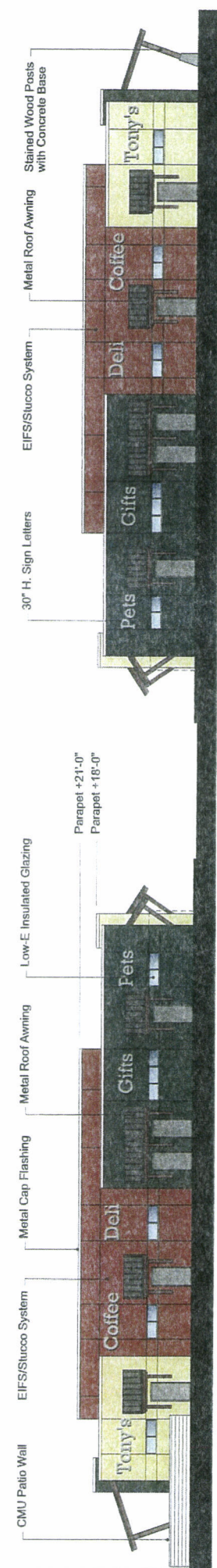


West Elevation



South Elevation

North Elevation



East Elevation

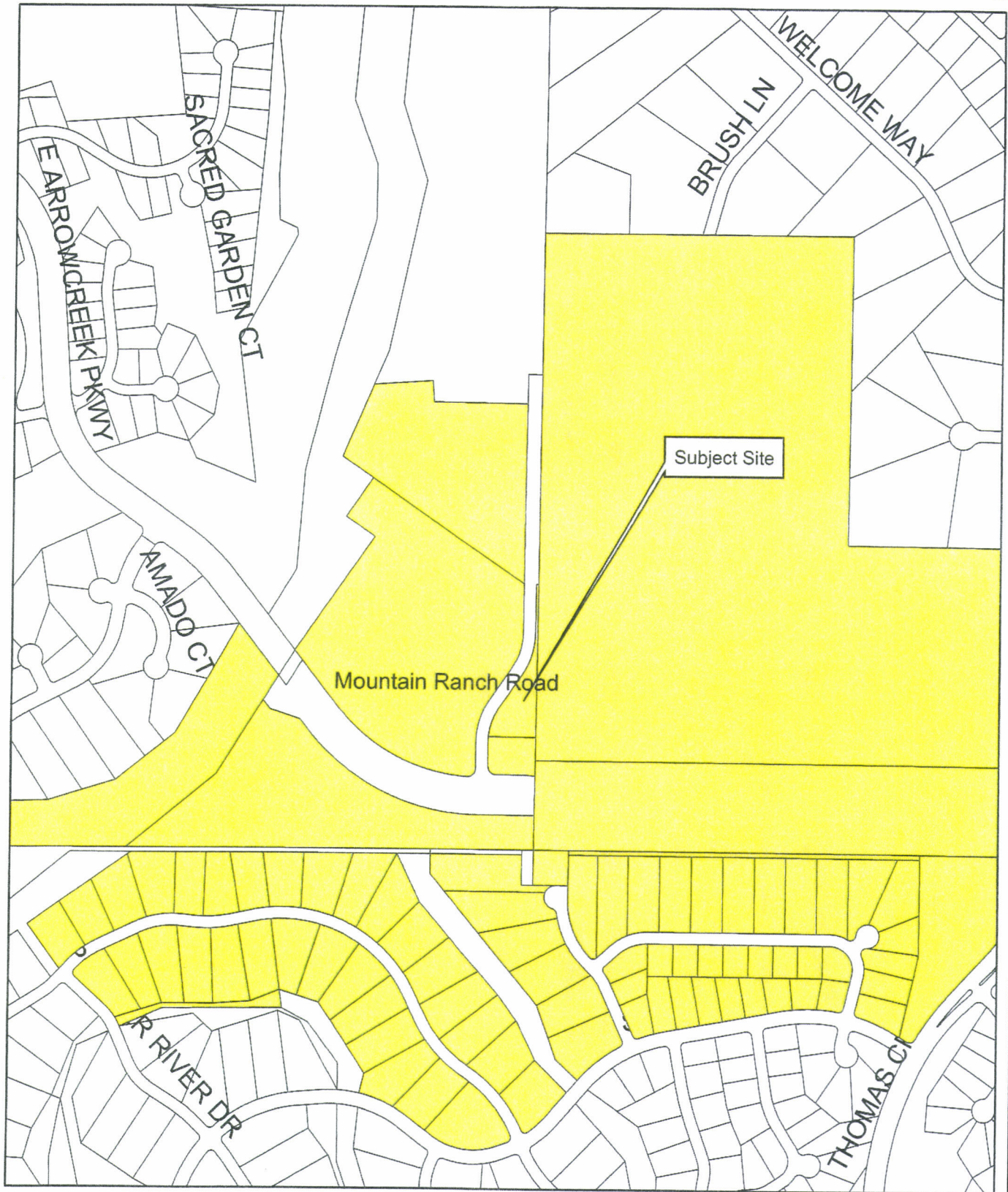


CROSSBOW COURT

Conceptual Elevations

Washoe County Nevada

06.16.14



Mailing Label Map

Special Use Permit Case No. SB14-013
Crossbow Ct. Neighborhood Center



Department of
Community
Development

WASHOE COUNTY
NEVADA

Post Office Box 11130
Reno, Nevada 89520
(775) 328-3600

Source: Community Planning Services

Date: August 2014

SB14-013

Bill Kockenmeister
4335 Wild Eagle Terrace
Reno, NV 89511
775-853-0808

RECEIVED
AUG 05 2014
WASHOE COUNTY
BUSINESS LICENSE DIV

August 5, 2014

Washoe County Board of Adjustment
1001 East Ninth St.
Reno, NV 89512

Attn. Ms. Sandra Monsalve
Via Hand Delivery

Re: Special Use Permit Case Number SB14-013 (Crossbow Court Commercial Center)

Dear Ms. Monsalve:

Please accept this letter and the enclosed Petition in opposition to the request for a Special Use Permit for the Crossbow Commercial Center (SB14-013). The opposition is based on the fact that commercial development is incompatible with the neighborhood and would cause significant safety concerns due to its proposed location next to two schools and a neighborhood park.

According to the application on file the proposed Special Use Permit would allow the construction of two separate 6,000 square foot buildings with sixty parking spaces to be located at the northeast corner of Crossbow Court and Arrowcreek Parkway. The application also requests permission to install 25 foot lights and to allow the businesses to stay open until midnight on weekends and 10 pm on weeknights. Directly across Crossbow Court from the proposed development is Hunsberger Elementary School and Sage Ridge School is just down the block. Directly across Arrowcreek Parkway is a neighborhood park. The closest commercial development is a gas station located over a mile away on the corner of Mt. Rose Highway and Thomas Creek Parkway.

The proposed Special Use Permit was discussed at the South Truckee Meadows/Washoe Valley Citizen Advisory Board (CAB) meeting on July 10, 2014. After a presentation by the developer and opposition by several concerned homeowners, the CAB voted to recommend to the Washoe County Board of Adjustment that the Special Use Permit be denied. The neighbors in opposition to the Special use Permit indicated that they moved to the Saddlehorn Subdivision because of the character of the neighborhood; that is, a quiet low-density residential neighborhood with no commercial development. A neighborhood that is safe for children to walk to the local elementary school. An out of state developer now wants to change the character of the neighborhood by constructing a commercial development that is unneeded and unwanted by the nearby residents.

After the meeting, a petition was circulated to the residents in the vicinity of the proposed commercial development seeking their support in opposition to the development. Virtually every neighbor that was informed of the proposed development signed the petition, which contains 131 signatures. Simply put, the affected residents do not want to see the character of our neighborhood change significantly simply because an out-of-state developers bought two residential parcel and now wants to construct 12,000 feet

Letter and Petition Received Aug. 5, 2014
Re: SB14-013

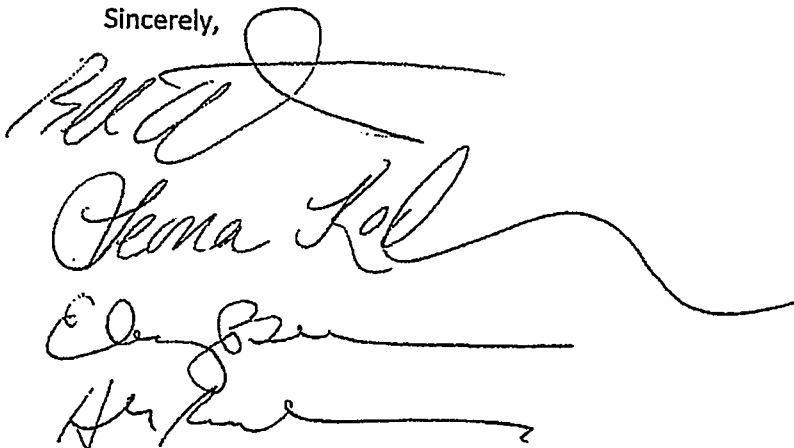
of commercial development. The low-density residential character of the neighborhood and the safety of the children attending two schools requires that the request for a Special Use Permit be denied. Section 110.810.30(d) of the Washoe County Code requires that prior to the issuance of a Special use Permit, the Planning Commission, Board of Adjustment must make the following finding:

"Issuance not detrimental. Issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;"

The commercial development will, in fact, be detrimental to the public health and safety. Many children attend the two elementary schools across the street from the proposed development and the increase in traffic will be injurious to the public safety. The commercial development will also be injurious to the adjacent properties in the Saddlehorn Subdivision. Saddlehorn is a low-density residential development. The property values are based on the peace and quiet of the neighborhood and the lack of commercial development. The proposed development would be injurious to local property values. This is particularly true if the development fails and the result is empty commercial buildings. Lastly, the commercial development is without a doubt detrimental to the character of the neighborhood; low-density residential housing, neighborhood schools and parks and no other commercial development. A commercial development with bright lights, open to midnight with sixty parking spaces is so obviously out of character with the surrounding neighborhood that it is inconceivable that the required finding could be made to allow this project to move forward.

In Redrock Valley Ranch v. Washoe County, 127 Nev. Adv. Op. 18 (2011), the Nevada Supreme Court upheld a decision by Washoe County which upheld a decision of the Planning Commission, Board of Adjustment to deny a Special Use Permit to an entity that wanted to export water. The Planning Commission, Board of Adjustment determined that the required finding discussed hereinabove could not be made. In reaching its decision the Nevada Supreme Court held that "a public agency may rely on public testimony in denying a special use permit. In this proceeding 131 homeowners signed a Petition opposing the project, numerous people testified in opposition. Certainly, the Planning Commission of the Board of Adjustment has the authority, and in fact, the obligation, to deny the Special Use Permit on file herein.

Sincerely,

The block contains four handwritten signatures stacked vertically. The first signature is a stylized, cursive name. The second signature is more legible, appearing to read 'Kenna Lee'. The third and fourth signatures are also cursive and less legible.

RECEIVED

AUG 05 2014

PETITION OPPOSING A SPECIAL USE PERMIT FOR CROSSBOW COURT NEIGHBORHOOD CENTER SPECIAL
USE PERMIT CASE - SB 14-013) BUSINESS LICENSE DIV.

We the undersigned citizens of Washoe County, Nevada oppose the issuance of a Special Use Permit for a commercial development on the corner of Crossbow Court and ArrowCreek Parkway, Washoe County, Nevada. The commercial development would be constructed on a corner currently consisting of two schools and a park and within a very short distance from a low density residential neighborhood with no other commercial properties within several miles. The commercial development is inconsistent with the current character of the neighborhood and would pose safety dangers due to its close proximity to the schools and a neighborhood park. Further, the undersigned support the actions of the South Truckee Meadows/Washoe County Citizen Advisory Board which recommended denial of the Special Use Permit at its July 10, 2014 Meeting. The commercial development will be significantly detrimental to the public health, safety and welfare, injurious to the adjacent properties or improvements to the adjacent properties and detrimental to the character of the surrounding neighborhood.

NAME	ADDRESS	SIGNATURE
Wanda OToole	14305 Quail Runing Ct	Wanda OToole
Charles OToole	" " "	Charles OToole
William Heene	4400 Thompson Ct Reno NV	William Heene
Andrew Tedore Litus	9803 Dixon Ln Reno NV 89511	Andrew Tedore Litus
Sandra Wilson	4400 Wild Eagle Ter.	Sandra Wilson
MICHAEL HARRIS	14190 Moonrise Ct.	MICHAEL HARRIS
SANDRA Ewert	4405 Saddlehorn Dr	Sandra Ewert
Leonard Ewert	" "	Leonard Ewert
John Akins	4345 Saddlehorn	John Akins
Sarah Schelling	4245 Saddlehorn Dr.	Sarah Schelling
Bob Burks	4220 Wild Eagle Terr.	Bob Burks
Lori Dotterweich	" "	Lori Dotterweich
Karin Blythe	4445 Wild Eagle Ter	Karin Blythe

PETITION OPPOSING A SPECIAL USE PERMIT FOR CROSSBOW COURT NEIGHBORHOOD CENTER (SPECIAL USE PERMIT CASE - SB 14-013)

We the undersigned citizens of Washoe County, Nevada oppose the issuance of a Special Use Permit for a commercial development on the corner of Crossbow Court and ArrowCreek Parkway, Washoe County, Nevada. The commercial development would be constructed on a corner currently consisting of two schools and a park and within a very short distance from a low density residential neighborhood with no other commercial properties within several miles. The commercial development is inconsistent with the current character of the neighborhood and would pose safety dangers due to its close proximity to the schools and a neighborhood park. Further, the undersigned support the actions of the South Truckee Meadows/Washoe County Citizen Advisory Board which recommended denial of the Special Use Permit at its July 10, 2014 Meeting. The commercial development will be significantly detrimental to the public health, safety and welfare, injurious to the adjacent properties or improvements to the adjacent properties and detrimental to the character of the surrounding neighborhood.

NAME ADDRESS SIGNATURE

Victoria S. Fuchs 1490 Star Way, Reno, NV Victoria S. Fuchs
 ROSIE MANN 1610 STAR ⁸⁹⁵¹¹ RENO 89511 Rosie Mann
 MARION R. MANN " " MR Mann
 THELMA BUCHLER 17000 WEDGE PK ⁸⁹⁵¹¹ Thelma Buchler
 Elizabeth Buchler 4415 Wild Eagle Terr. Reno Egan
 Kathy LUNDEN 715 Saddlebow Dr. Reno
 Kathy LUNDEN 14000 W. Saddlebow Dr. Reno 89511
 WILLIAM HAGER 14000 W. Saddlebow 89511 WE Hager
 HOWARD BUCHLER 4415 WILD EAGLE TR 89511 H
 Paul Savage 4380 Wild Eagle Terr 89511 Paul Savage
 Kathy Savage 4380 Wild Eagle Terr 89511 Kathy Savage
 LORRAINE DEWITT 4430 WILD EAGLE TERR 89511 LORRAINE DEWITT
 MARK OLSON 4400 WILD EAGLE Terr 89511 Mark Olson

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NAME	ADDRESS	SIGNATURE
Laura Sedar	14095 Moonrise Ct	Laura Sedar
Ron Remington	4350 Wild Eagle	Ron Remington
Claudia Krewer	4330 Wild Eagle	Claudia Krewer
DK Ellsworth	4310 Wild Eagle Ter	DK Ellsworth
Susan Ellsworth	4310 Wild Eagle Ter	Susan Ellsworth
Krista Sweet	4365 Wild Eagle Ter	Krista Sweet
Judy Britt	4300 Wild Eagle Terrace	Judy Britt
Shane Kelley	4205 Wild Eagle Ter	Shane Kelley
Karen Korman	4240 Wild Eagle Ter	Karen Korman
Chris Smith	4200 Saddlehorn Place	Chris Smith
Paul O'Brien	14270 Domingo Ct	Paul O'Brien
PAULINE OTTEN	14270 Domingo Ct	Pauline Otten
Joe A. Bluff	14305 Domingo Ct	Joe A. Bluff

PETITION OPPOSING A SPECIAL USE PERMIT FOR CROSSBOW COURT NEIGHBORHOOD CENTER (SPECIAL USE PERMIT CASE - SB 14-013)

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NAME ADDRESS SIGNATURE

Elizabeth Zaretsky 14335 W. Windriver Elizabeth Zaretsky

Robert Zaretsky 14335 W. Windriver Ln Robert Zaretsky

Martha Dorris 14300 W. Windriver Lane Martha Dorris

JANET NEWTON 14340 W. WINDRIVER LN. Janet Newton

QUINTON NEWTON 14340 W WINDRIVER RENO Quinton Newton

Charles Manukian 14360 W Windriver Ln Charles Manukian

Ida Edith 14355 W. WINDRIVER LN RENO Ida Edith

Marylou Dutton 14355 W. Windriver Ln Reno Marylou Dutton

Rachael Murphy 14375 W. Windriver Ln Rachael Murphy

JOSEPH DORRIS 14300 W WINDRIVER Joseph Dorris

James Earl Kolar 14420 E Windriver Ln James Earl Kolar

Paul Manukian 14360 W. WINDRIVER LN. Paul Manukian

Rebecca MANUKIAN 14360 W. WINDRIVER LN Rebecca Manukian

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NAME

ADDRESS

SIGNATURE

Barbara Lichter	14285 Domingo Ct.	Barbara Lichter
TOWLIN LICHTER	14285 Domingo Ct	Chelle
ROBERT ZUSMAN	14275 Domingo Ct. RENO, NV 89511	
Melodie Buckner	14265 Domingo Ct. Reno, NV 89511	
TOM WILKINS	14255 Domingo Ct. Reno NV 89511	
GERALD SARGENT	14155 QUIET MEADOW CT. RENO, NV 89511	
Tyler Holden	14080 Quiet Meadow Ct	
JEFF MENATH	13180 W. SADDLEBOW DR. RENO	Jeff Menath
LIVANNA WHITF	13145 W. SADDLEBOW DR. RENO	Livanna Whit
Barbara Rosenberg	4715 S Saddlehorn Drive Reno	Barbi Rosenberg
ALAN ROSENBERG	4715 S SADDLEHORN DR. Reno NV	Alan Rosenberg
Frederick H Di Rienzo	4735 S Saddlehorn Dr. Reno NV 89511	Frederick H Di Rienzo
Shelly Hansen	14135 Moonrise Ct. Reno NV 89511	Shelly Hansen

PETITION OPPOSING A SPECIAL USE PERMIT FOR CROSSBOW COURT NEIGHBORHOOD CENTER (SPECIAL USE PERMIT CASE - SB 14-013)

We the undersigned citizens of Washoe County, Nevada oppose the issuance of a Special Use Permit for a commercial development on the corner of Crossbow Court and ArrowCreek Parkway, Washoe County, Nevada. The commercial development would be constructed on a corner currently consisting of two schools and a park and within a very short distance from a low density residential neighborhood with no other commercial properties within several miles. The commercial development is inconsistent with the current character of the neighborhood and would pose safety dangers due to its close proximity to the schools and a neighborhood park. Further, the undersigned support the actions of the South Truckee Meadows/Washoe County Citizen Advisory Board which recommended denial of the Special Use Permit at its July 10, 2014 Meeting. The commercial development will be significantly detrimental to the public health, safety and welfare, injurious to the adjacent properties or improvements to the adjacent properties and detrimental to the character of the surrounding neighborhood.

NAME

ADDRESS

SIGNATURE

Donna F. Perez 6965 Rabbit Brush Ct. 89511 [Signature]
 Linda Sharif 5800 Flowering Sage Trail 89511 [Signature]
~~Steven B. Perez~~ 6965 Rabbit Brush 89511 [Signature]
 Marlene Hunt 2756 Spirit Rock Trail 89511 Marlene Hunt
 DAVID A. HUNT 2756 Spirit Rock Trail 89511 [Signature]
 Linda J. Hoffman 5758 River Birch Dr. 89511 [Signature]
 Robert Hoffman 5758 River Birch Dr. 89511 [Signature]
 SANDRA WELKE 12020 High Vista 89451 [Signature]
 Michelle Gitmed 6929 Rabbit Brush Ct 89511 Michelle Gitmed
 JOLTO PERDUE 6731 RABBIT BRUSH 89511 [Signature]
 Paulette Davis 10705 Renegade Court 89511 [Signature]
 RICHARD RUSHTON 10705 RENEGADE CT. 89511 [Signature]

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NAME ADDRESS SIGNATURE

Leona Kockenmeister 4335 Wild Eagle

Leslie Bates 4285 Wild Eagle Terr

Edi Hane 4260 Saddlehorn Dr. Reno NV

Bill Kockenmeister 4335 Wild Eagle

Sharon Wahlgren 4220 Saddlehorn Pl. Reno, NV

Wendy Wahlgren 4305 Saddlehorn Dr. Reno, NV

KEL SWANSON 4270 Wild Eagle Terr. Reno

Pat Swanson 4270 Wild Eagle Terr. Reno, NV

Kimberly Gernoz 35 Catalina Ct. Reno, NV

LARRY MERRELL 4220 Saddlehorn Dr. Reno, NV

Julie Swenson 13550 Fichters Creek Dr. Reno

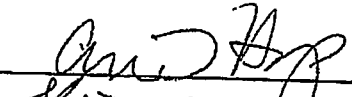
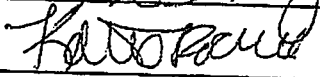
James Willo 4365 Wild Eagle Terr. Reno

Ningwei Yuan 4265 Wild Eagle Terr. Reno NV

PETITION OPPOSING A SPECIAL USE PERMIT FOR CROSSBOW COURT NEIGHBORHOOD CENTER (SPECIAL USE PERMIT CASE – SB 14-013)


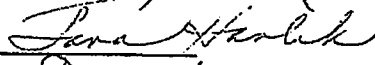

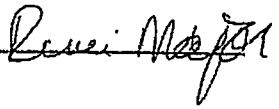
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NAME	ADDRESS	SIGNATURE
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Anna Hastings	14090 Saddlebow Dr	
Katie Burkwell	14140 Moonlight	

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NAME	ADDRESS	SIGNATURE
Charles Merkel	13380 W. Saddlebow Dr. Reno, NV.	
JANA HAVLIK	14020 W. SADDLEBOW DR.	
Denise Rasmussen Denise Rasmussen	14035 W. Saddlebow Dr.	
Reuel Major	14040 Saddlebow Dr.	

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NAME	ADDRESS	SIGNATURE
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Andrew Humer	14135 Moonrise Ct. Reno NV	<i>[Signature]</i>
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James Mitchell	14185 Moonrise Ct .. 89511	<i>[Signature]</i>
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CRYSTAL ABBA	4420 Saddlehorn Dr.	<i>[Signature]</i>
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STEVE ABBA	4420 Saddlehorn Dr.	<i>[Signature]</i>
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INGRID LUBBERS	14180 SADDLEBOW DR	<i>[Signature]</i>
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Reed Thomas	14180 Saddlebow Dr.	<i>[Signature]</i>
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PATRICK SCHLOSSER	14165 SADDLEBOW DR	<i>[Signature]</i>
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Russell Jackson	4245 Wild Eagle Terr	<i>[Signature]</i>
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Tara Hagan	17000 Wedge Pkwy #3412	<i>[Signature]</i>
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NAME

ADDRESS

SIGNATURE

LESLIE DAHM 1142 EAGLE VISTA CT Leslie Dahm
Beverly Radine 3148 Marble Ridge CT Beverly Radine
Virginia Furumoto 6040 Comanche Circle Virginia Furumoto

PETITION OPPOSING A SPECIAL
USE PERMIT CASE - SB 14-013)

PRINT NAME

SIGNATURE

MEL WELKE 12020 HIGH VISTA, RENO 89511 Mel Welke
RICHARD SUGIMOTO 5711 CEDAR TRACE CT, RENO 89511 Richard Sugimoto
Chang Kang 5910 Cedar Trace CT, RENO 89511 Chang Kang
Wm McCasley 6195 Storyteller Ct, Tallahassee Wm McCasley
Nancy Breen-McCasley 6195 Storyteller Ct. Nancy Breen-McCasley

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NAME	ADDRESS	SIGNATURE
Kenneth Langdon	715 Saddlehorn Rd	Kenneth Langdon
Kathleen Norem	4440 Saddlehorn Dr.	Kathleen Norem
CHERYL PEARCE	14260 SORREL LN 2	Cheryl Pearce
KATE SKEENEY	14130 Quiet Meadow Ct	Kate Skeeney
Linda Schlosser	14165 Saddlehorn Dr.	Linda Schlosser
Dianne Davis	4810 S. Saddlehorn Dr.	Dianne Davis
Joanne Jarrett	14250 Powder River	Joanne Jarrett
Susan Clayton	14265 Table Rock Ct	Susan Clayton

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NAME

ADDRESS

SIGNATURE

NORM ROSENSTEIN

4535 SADDLEBOW

m. Perone

THOMAS A WRIGHT

13165 WEST SADDLEBOW

Thomas A Wright

Kay D Wright

13165 W Saddlebow

Kay D Wright

Paul Belcor

1480 T203 La

Paul Belcor

Patty Campitelli

14582 Gray Rock Ct.

Patty Campitelli

Luz Miller

13195 W Saddlebow

Luz Miller



Board of Adjustment Action Order

Special Use Permit Number SB14-013

Decision: Denial

Decision Date: August 7, 2014

Mailing/Filing Date: September 19, 2014

Applicant/Property Owner: Helvetica CTV Crossbow, LLC

Location: 2500 & 2540 Crossbow Court
Reno, NV 89511

Assigned Planner: Sandra Monsalvé, AICP, Senior Planner
Washoe County Community Services Department
Planning and Development
Phone: 775.328.3608
E-Mail: smonsalve@washoecounty.us

Project Description – To construct a ±12,000 square foot Neighborhood Commercial Center comprised of two separate ±6,000 square foot buildings on two contiguous parcels, to be located at the northeast corner of Crossbow Court and Arrowcreek Parkway.

- Applicant/Property Owner: Helvetica CTV Crossbow, LLC
Attn: Chad Mestler or Dave Gash
- Professional Consultant: Kenneth Krater, P.E.
- Location: 2500 and 2540 Crossbow Court
Reno, NV 89511
- Assessor's Parcel Numbers: 152-921-01 and 152-921-02
- Parcel Size: ±.75 and ±1.06 acres
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: Low Density Suburban (LDS)
- Area Plan: Southwest Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 810, Special Use Permits; and
Section 110.304.25, Commercial Use Types
- Commission District: 2 – Commissioner Humke
- Section/Township/Range: Portion of SW ¼ Section 24, T18N, R19E, MDM
Washoe County, NV

Notice is hereby given that the Washoe County Board of Adjustment denied the above referenced case number based on the inability to make Finding number four (4), in accordance with Washoe

To: Helvetica CTV Crossbow. LLC
Subject: Special Use Permit Number SB14-013
Date: September 19, 2014
Page: 2

County Development Code Article 810, Special Use Permits and Article 304, Commercial Use Types. If no appeals have been filed within 10 days after the date of decision, the approval by the Washoe County Board of Adjustment is final. If filed, an appeal stays any further action on the permit until final resolution of the appeal. If the end of the appeal period falls on a non-business day, the appeal period shall be extended to include the next business day. An appeal shall be filed in accordance with the provisions found in Article 810 and Article 304 of the Washoe County Development Code.

Findings required by WCC Section 110.810.30, for a Special Use Permit:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest Truckee Meadows Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for a neighborhood center and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

And,

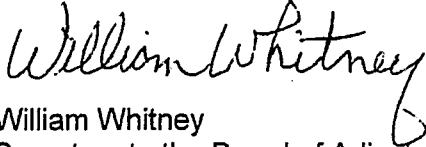
Findings required by the Southwest Truckee Meadows Area Plan, Policy SW.2.14

- SW.2.14 The approval of all special use permits and administrative permits must include a finding that the community character as described in the character statement can be adequately conserved through mitigation of any identified potential negative impacts. Mitigation measures shall be reviewed by the Washoe County Planning Commission as well as by the relevant Citizen Advisory Board.

Anyone wishing to appeal this decision to the Washoe County Board of County Commissioners may do so within 10 days of the date that this written decision is filed with the Secretary to the Board of Adjustment and a copy mailed to the applicant as indicated above. To be informed of the appeal procedure, call the Planning staff at **775.328.6100**. If the end of the appeal period falls on a non-business day, the appeal period shall be extended to include the next business day. Appeals must be filed in accordance with Section 110.810.30 of the Washoe County Development Code.

To: Helvetica CTV Crossbow, LLC
Subject: Special Use Permit Number SB14-013
Date: September 19, 2014
Page: 3

Washoe County
Planning and Development



William Whitney
Secretary to the Board of Adjustment

WW/SM/df

Property Owner/ Applicant: Helvetica CTV Crossbow, LLC
Attn: Chad Mestler or Dave Gash
5927 Balfour Court, Suite 208
Carlsbad, CA 92008-7377

Professional Consultant : Kenneth Krater, P.E.
901 Dartmouth Drive
Reno, NV 89509

Agencies: Greg Salter, Esq., District Attorney's Office; Carol Buonanoma, Assessor's Office (CAAS); Theresa Wilkins, Assessor's Office; Kimble Corbridge/Leo Vesely, Engineering Division, Washoe County School District, Attn: Mike Boster, South Truckee Meadows/Washoe Valley CAB, Chair, Truckee Meadows Fire Protection District, Attn: Amy Ray; Washoe County Sherriff's Office, Attn: Duane Meyer, Captain; Washoe County Building & Safety, Attn: Don Jeppson.

Excerpt of the Minutes for the Board of Adjustment Meeting of August 7, 2014

Agenda Item 8.D.

PUBLIC HEARING: Special Use Permit Case Number SB14-013 (Crossbow Court Neighborhood Center) – To construct a ±12,000 square foot Neighborhood Commercial Center comprised of two separate ±6,000 square foot buildings on two contiguous parcels, to be located at the northeast corner of Crossbow Court and Arrowcreek Parkway.

- Applicant/Property Owner: Helvetica CTV Crossbow, LLC, Attn: Chad Mestler or Dave Gash.
- Professional Consultant: Kenneth Krater, P.E.
- Location: 2500 & 2540 Crossbow Court, Reno, NV 89511
- Assessor's Parcel Numbers: 152-921-01 and 152-921-02
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- Area Plan: Southwest Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 810, Special Use Permits and Section 110.304.25, Commercial Use Types
- Commission District: 2 – Commissioner Humke
- Section/Township/Range: Portion of SW ¼ Section 24, T18N, R19E, MDM, Washoe County, NV
- Staff: Sandra Monsalve, AICP, Senior Planner, Washoe County Community Services Department, Planning and Development Division, Phone: 775-328-3608, smonsalve@washoecounty.us

Chair Toulouse opened the public hearing; two disclosures were made by the members. Lee Lawrence is an acquaintance of Steve Perez and Robert Wideman used to work with Steve Cohen. Ms. Monsalve reviewed her staff report dated July 25, 2014.

Ken Krater, the professional consultant, spoke about the attempts to mitigate the impact of the development by have two buildings, the flow-through parking lot, building design to fit the area

and meeting with Hunsberger Elementary Schools principal and the school district to address possible parking and traffic issues. He also wanted to write up CC&Rs for the tenants to maintain agreements and the upkeep of the property.

Mike Boster, Washoe County School District, voiced concern about traffic and equipment during construction of the Neighborhood Center as there are 794 students at Hunsberger Elementary School.

There were seven individuals who asked to speak and a petition with 131 signatures all in opposition of the project. Donna F. Perez spoke in opposition to the Neighborhood Center. She was concerned with only partial occupancy of the building, not enough patrons for the shops and the building would become a "blight" to the neighborhood. Bob Hoffman is opposed to the project. He likes the "land, animals, forest, trees and overall ambiance of the area". He would like the area to "stay natural". Howard Buchler likes the "residential integrity" of the neighborhood. He opposes the project due to possible "safety, traffic, noise and crime" issues. He stated that the developer has not given any ideas as to what businesses will occupy the buildings so he asked, "how can we think this is good". Steven Perez said that previously a fire station was supposed to occupy the property but was opposed because of the increase in traffic in that area, near a school. He is opposed as the Neighborhood Center will be adding traffic. He is also concerned this will "become a blighted area". Steve Cohen is the parent of a child who previously attended Hunsberger Elementary School and is concerned about the future attendees of the school. He's concerned about the traffic, mainly the entrance to the Neighborhood Center being directly across from the entrance to the Elementary School. He's concerned about parking issues during school events as parents will be parking in the Neighborhood Centers parking lot blocking access to the business in the Center. He voiced concern about businesses lasting. Bill Kockenmeister voiced his view as "developer vs. residents". He believes the Neighborhood Center won't last and "an empty Neighborhood Center is detrimental to the neighborhood". Leona Kockenmeister took part in gathering the signatures for the petition. She is concerned about the children crossing the street walking to and from school with the increase in traffic. She asks the Board to deny the application. Board members shared their concerns. Member Wideman voiced concerns about the impact to the school children and traffic with the driveways being right across from each other. He was unable to support as he was not able to make Finding Four. Member Lawrence said, "school activities will bomb the Neighborhood Center's parking lot" and the school addressing any parking issues with the Center's property manager would cause administrative problems that aren't necessary for the school to have to address. He said he "cannot support" the project. Member Hill said she "supports the surrounding neighbors". She "cannot support" the project. Chair Toulouse voiced the project was "detrimental to the community". He "cannot support", the project. Chair Toulouse closed the public hearing.

Member Wideman moved to deny the motion to approve with conditions. Stating item number Four had not been met. Member Hill seconded the motion which carried unanimously.

The motion failed due to the Board's inability to make all of the following findings, specifically Finding Four.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest Truckee Meadows Area Plan.
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.
3. Site Suitability. That the site is physically suitable for a neighborhood center, and for the intensity of such a development.
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area, and
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

September 21, 2014

Kenneth Krater

Dear Ken,

On behalf of the ArrowCreek Homeowners Association I would like to thank you for attending our September homeowners meeting. It is always enjoyable to keep our homeowners appraised of changes that may affect our neighborhood. In this case it appears the changes will be positive. As you are aware, ArrowCreek is about four miles away from any retail services and it would be nice to have some shopping available that is closer to our home.

I have received several positive comments as a result of your presentation. Please keep me informed as your project unfolds. Thanks again for coming to visit us. I wish you all the best with your new project.

Sincerely,

Samuel T Fox
President
ArrowCreek Homeowners Association